

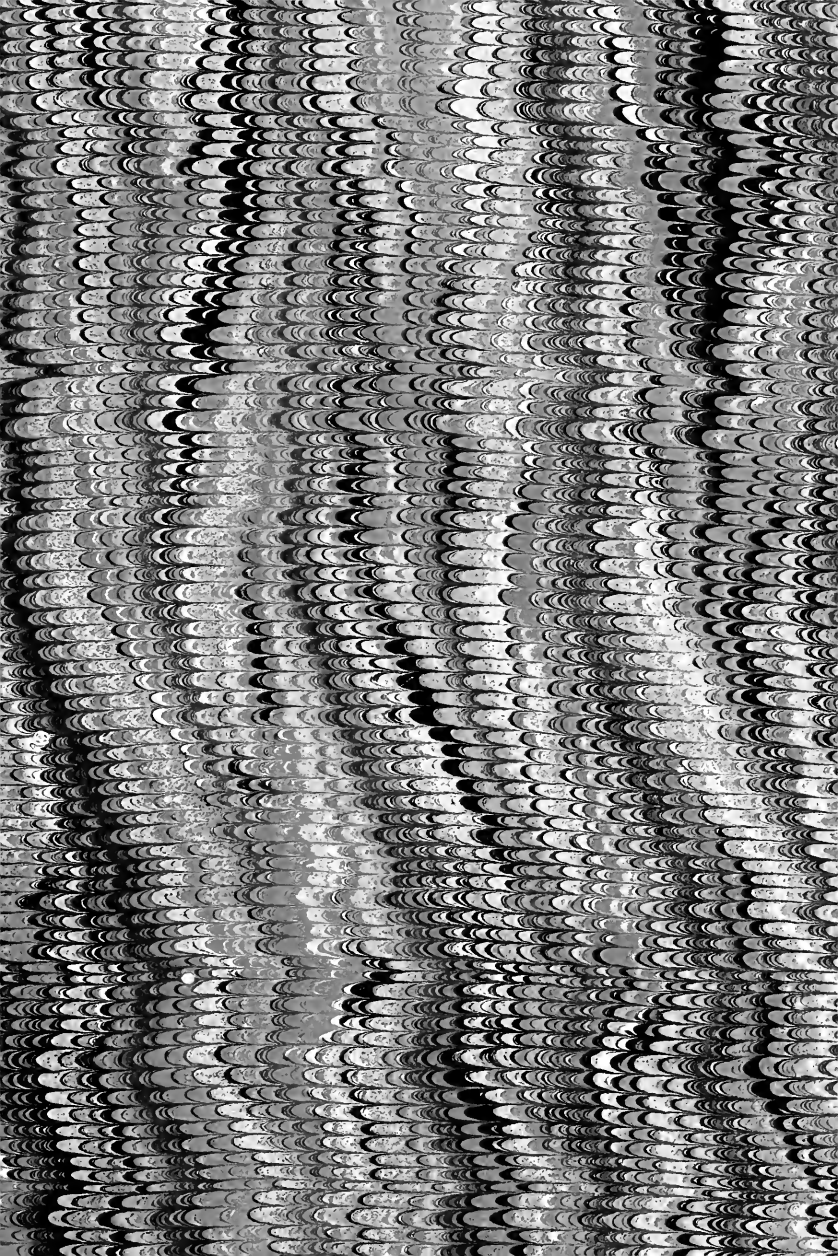


UNIVERSITY  
OF PITTSBURGH  
LIBRARY



Dar.Rm.  
E334  
C515

THIS BOOK PRESENTED BY  
Buhl Foundation







Digitized by the Internet Archive  
in 2010 with funding from  
University of Pittsburgh Library System







16.  $\frac{1}{4}$

$\frac{1}{4}$  3.  $\frac{1}{2}$

201 5.



A  
**Letter**  
TO A FRIEND  
ON THE  
*CONDUCT OF THE ADHERENTS*  
TO  
MR. BURR.

---

BY JAMES CHEETHAM.

---

New-York:

PRINTED BY JAMES CHEETHAM, No. 136, PEARL-STREET.

---

1803

TO THE

COMMISSIONERS

OF THE

LAND OFFICE

## A LETTER, &c.

---

**Y**OUR letter of the 27th instant came to hand yesterday, and I thank you kindly for it; but my time is so fully employed with the ordinary concerns of the daily paper, that I fear I shall be unable to find leisure to answer your queries satisfactorily. You request information on the following questions.\*

"What were the motives of Mr. Irving, for consenting to become the Editor of the Morning Chronicle, a paper confessedly under the patronage of the Vice-President?"

"At what period were suspicions first entertained of Mr. Burr's fidelity to the republican party?"

"By what particular acts of his were they excited, and when and what measures were adopted to counteract his schemes of personal aggrandizement?"

Your queries embrace the entire history of Mr. Burr's intrigues to advance himself to the presidency, *against* the clearly expressed will of the republican party, and that for a variety of delicate and prudential reasons, I am not at liberty to detail. Your anxiety carries you to an extreme length: this is the effect of your zeal for the public good; of your attachment to that sublime experiment in politics, which we are now making with very flattering prospects of success. While I rejoice at this exhibition of sensibility, I regret that I cannot gratify the anxious disposition it has produced. You will not, however, construe this inability to comply in part with your wishes, into a censure of your solicitude, which I admire, since it tends to keep alive "the sparks from the altar of '76," and evinces that you are as justly jealous of your rights, as you are laudably anxious to pursue the requisite means to preserve them.

\* The Editor of the Morning Chronicle has commenced what he deems a defence of Mr. Burr's conduct with regard to the negotiation entered into by him with David A. Ogden, Esq. the *authorized* agent of certain *federal* members of Congress. The reader is advertised that this letter is not intended as a reply to that defence. I hold it impossible for a much more ingenious and energetic man than Mr. Irving to affect the just impression made on the public by what has already been promulgated on this subject. If, however, any thing that may be stumbled upon shall appear worthy of reply, Mr. Burr and Mr. Irving shall not pass unnoticed.

You ask, "*what were the motives of Mr. Irving for consenting to become the Editor of the Morning Chronicle, a paper confessedly under the patronage of the Vice-President?*"

*Actions* only, my dear sir, can determine the character of *motives* which the tongue conceals; and in tracing these the conclusions of the judicious observer will seldom be essentially erroneous. Locke, a luminary of the world, observes in his essay on the Human Understanding, that a christian by *profession* is sometimes an infidel in *practice*, and that whatever be the pretensions of such a man to reverence and affection for the Saviour, he has no good title to the christian character. The sage had nicely examined that assemblage of qualities which compose the *hypocrite*, and knew that *his* actions form the best criterion of his mind.

To appreciate the motives of Mr. Irving for consenting to become the Editor of the Morning Chronicle, it will be necessary to review his previous conduct and opinion; an accurate estimate of these will enable us to pronounce whether they were virtuous or vicious—whether he merits the pity or the contempt of mankind.

Among our most estimable citizens, there are many who never entertained a transcendent opinion of Mr. Burr's integrity: with this class suspicions of his views are of an early date. They perceived, or thought they perceived, in his transactions, private and public, an aspiring selfishness on the one hand, and a laxity of principle on the other, that ill comports with those moral and magnanimous qualities that are essential to the preservation of a free Republic. Time has discovered that they were intelligent and watchful guardians of the commonweal. Still those suspicions formed no obstacle in the way of his ambition; and were it in the nature of vice to know at what point to stop in the ascending scale, Mr. Burr would at this moment have commanded an exalted place in the affections of a large portion of his fellow citizens. But his ambition, Sir, was bounded only by impossibilities; he coveted the chief magistracy of the union, and mistrusting the tardiness and certainty of the representative system for his elevation, relied on the efficacy of criminal intrigue for a gratification of his improper desires.

If to avert the calamitous effects that must have resulted from a conspiracy of the character and magnitude of the one entered into by Mr. Burr for *himself* on the one side, and Mr. Ogden, in behalf of *federal* members of Congress on the other, be a blessing, we are principally indebted for it to the gentle-

men alluded to. Admonished by the past, they could not fail of paying more than ordinary attention to his conduct pending the presidential election. The former part of his political life had taught them that he would endeavour to profit of that incentive to intrigue which the constitution, as it now stands, in respect to the election of President and Vice President, offers to the ambitious. Their vigilance was therefore commensurate to their apprehensions. Anxious for the liberty, the prosperity and the tranquillity of the union, and knowing that to set aside by intrigue the choice of the people for the presidency, would, in all probability, occasion anarchy and bloodshed, they watched him with lynx eyes, that, if necessary, they might defeat his evil machinations.

It would be tedious fir, even were I permitted by circumstances, to detail the minute and grosser indications of Mr. Burr before and during the presidential election, that, to them, were "proof strong as holy writ," of his want of fidelity to the party to whom he had pretended attachment, and of his disposition, by eluding its force, to furnish the enemies of *representative* government, here and abroad, with the most powerful weapons against it. On this subject, sufficient for every salutary purpose has already been said in the "View" of his political conduct, and in a more recent publication. I advert to this period with a view only to fill up, in some measure, the chasm that would be occasioned by omitting to notice it.

In those publications it has been satisfactorily shewn, that the contest in the House of Representatives is principally, if not entirely, attributable to his machinations. By the adoption of a wise and dignified policy, one that would have ensured to him the esteem of the good of both parties, he had it in his power to arrest at once the opposition of the federal party in the House. His letter to General Samuel Smith of Baltimore, that famous specimen of the equivoque, was aliment to it. In this light it was viewed by the federal members at Washington, as appears by a publication inserted in the Washington Federalist, the official paper of the party during the latter days of the administration of Mr. Adams. This publication commences with the following remarks :

"There was inserted in yesterday's Federalist, a letter from Col. Burr, which we venture to predict can be conceived in no other light than as *additional* evidence of his *fitness* to fill the presidential chair."

On Mr. Burr's *ambiguous* mode of "disclaiming all competition with Mr. Jefferson," the writer observes,

"But if the rigorous construction of the term '*competition*?' shall prevail so as to embrace even *involuntary* competition, it substantially operates a destruction of what Col. Burr clings to as a principle, to wit, that he will not be instrumental in counteracting the wishes of the United States. For how, otherwise, in the name of common sense, could Mr. Burr become instrumental in counteracting the wishes of the United States, *than by refusing, after the people at large have acted on the occasion, to acquiesce in any election* which Congress, or rather the United States in Congress assembled, shall think proper to make?"

Thus you see, my good sir, that the federal gentlemen at Washington perfectly understood Mr. Burr's logic about "disclaiming competition," and that by an infelicitous attempt at metaphysical reasoning on *voluntary* and *involuntary* actions, they sought, conjointly with himself, to deceive the people with regard to the extensive plans of intrigue which were then in operation. Well might they declare, in one of their favourite public prints, that his letter to General Smith "could be conceived in no other light than as *additional*† evidence of his *fitness* to fill the Presidential chair," for they deemed it equally calculated to answer the double purpose of holding out on the one hand, confirmatory assurances of a disposition to co-operate cordially with them, and on the other, of calming the anxieties of those who designed the Presidency for Mr. Jefferson.

The extract contains a sentence which it may not be amiss to use in support of the remark, that Mr. Burr had it in his power to put an end at once to the conflict in the House of Representatives; and I the more readily avail myself of it, since it exhibits the sense on this subject of the opposers of the administration. It is this; that Mr. Burr, to use their own language, could not "become instrumental in counteracting the wishes of the United States otherwise *than by refusing*, after the people at large had acted on the occasion," *i. e.* after the House of Representatives had elected him, "*to acquiesce in the choice.*" This course, which the writer of the paragraph is pleased to suppose would have been "counteracting the wishes of the United States," was the only honourable one that Mr. Burr could have taken. Had he, instead of writing his equivocal letter to General Smith, caused it to be promulgated to the public, in language so explicit as not to be misunderstood, that if elected he would *not* acquiesce in the decision of the House, seeing that the republican party were *undivided* in their choice

† What *other* evidence of his *fitness* had they received to which allusion is here made?



of Mr. Jefferson, it is not extravagant to affirm that the federalists would have relinquished a contest from which nothing advantageous to their party could result. This opinion is imparted in the cited paragraph; and hence the writer saw in the opposite conduct pursued by Mr. Burr, "*additional evidence of his fitness to fill the presidential chair.*" But you will agree, sir, with me in opinion, that a course so honorable, so dignified, and so explicit, was inconsistent with his plan, which was artfully framed to hold out assurances of fidelity to the federal, while he was seeking to betray the republican party.

The result of the memorable struggle in the house, so grateful to the people, was far from being agreeable to the wishes and expectations of Mr. Burr. In the decision his pride received a mortal wound: he was disappointed—he was mortified beyond the power of language to describe. By indirect means he had artfully endeavoured to alienate representatives of the people from their duty, and he had so far succeeded with a *few*, as to render success with him no longer dubitable.

But though to encompass the presidency against the wishes of the people, he had formed, and carried into effect, a system of intrigue unparalleled, for its subtlety and mischievous tendency, in modern times, yet his arts were known but to a few. The murmur of suspicion was, indeed, in respect to the presidential election, sometimes heard; but a knowledge of the grounds of it was confined to a very narrow compass. The nature of the transaction will account for this concealment by the members of the conspiracy. The veil that hid the treason of *Catiline* was unrent when the torch was lighted to conflagrate Rome, and the hands of the traitors were uplifted to plunder and butcher its inhabitants. *Fulvia* discovered the treason of *Catiline*; Mr. Ogden is the *Fulvia* of the United States.

While the essence of the pernicious intrigue may satisfactorily account for the reservedness of Mr. Burr and his partizans, it may still be demanded, why did not the gentlemen—for there must have been some who were not ignorant of the existence of the conspiracy—immediately unfold it to the country? It is to me obvious that one or two gentlemen were, previous to the struggle in the House of Representatives, acquainted with Mr. Burr's negotiation with Mr. Ogden. I infer this from the single circumstance, that General Hamilton's letter, addressed to a member of the Senate, and in which he details the general terms of the negotiation, as derived from Mr. Ogden himself, was written in New-York near the 20th January, 1801, and received at Washington about the 26th—some time previ-

ous to the commencement of the balloting in the house. This letter,\* of *pith and moment*, included in my ninth on the subject of the negotiation, was, in all probability, early in February, 1801, within the knowledge of the gentleman who caused it to be communicated for publication. On the presumption of this fact, it may with great propriety be asked, why was it not instantly published? The gentleman can best answer the question himself; but of this I am persuaded that there existed a disposition, dictated by the purest motives, to permit the transaction to descend tranquilly to the tomb of oblivion, and that Mr. Burr's *hostility* to the administration, which was too apparent to the discerning to be doubted, alone induced a developement of the negotiation.

This hostility to the administration, manifested in multifarious forms, originated in motives of a purely selfish nature with Mr. Burr, who carefully instilled it into his partizans, some of whom were less dexterous and prudential in the exhibition of it than himself. He was for *sapping* the administration, while many of his less managing and artful followers, such as Mr. Davis, keen in their resentments and hasty in their decisions to derogate from the merits of the executive, that they might prepare the way for the election of their hero, declaimed, at convenient times and places, openly against him. One of the ostensible grounds of complaint within the factious circle, as early as June, 1801, was *disappointment* of office.

With regard to this important consideration, between Mr. Burr and his partizans, there was a reciprocity of feeling: The former, in his *mild* system of intended opposition to the administration, was anxious to fortify himself with as much of the *influence of office*, as could be acquired, and he therefore incessantly importuned and teased the executive to commission his followers to the first places of honor and emolument. In this his object was two-fold; if successful in his applications he entertained a hope, one indeed that has been in many instances realized, that the fortunate incumbents, vested with the authority and blessed with the emoluments of office, through his instrumentality, would not, in the critical scenes through which he was to pass, relinquish him; if frustrated, disappointment would add to the settled repugnance of the expectants to the administration. From this he hoped to reap a rich harvest of glory. In many applications he was fortunate; but his claims were so numerous, and his ambition so inordinate,

\* Which may be produced,

that he could neither expect the one nor the other to be gratified. He procured, however, the appointment of *marshal* for Mr. John Swartwout, who in his close adherence to him through every vicissitude, has exhibited his gratitude for the favour. For an elderly gentleman he obtained from the executive a superintendency, and he has found even in his feeble support, abundant reward. Others might be mentioned, but I must avoid prolixity.

But neither William P. Van Ness, who visited the city of Washington in the hope of reward, nor Mr. Mathew L. Davis, who journeyed to Monticello laden with a huge package of recommendatory letters for an office; Mr. Timothy Greene, who is a suppliant to Mr. Burr, nor Mr. John [captain] Sanford, who pays adoration to him, was gratified in their expectations of office. It is hardly in the power of the richest fancy to figure to itself the sombre looks, the dejected countenances exhibited by these *gentlemen* when hope no longer buoyed up their expectations. It was conjectured that some evil genius advised the executive to disregard the recommendations of Mr. Burr, and so come to an open rupture with him at once; and many unpleasant insinuations were thrown out against the eloquent chancellor Livingston, who was at Washington making arrangements for the execution of his important mission, when Mr. William P. Van Ness visited that city, and to whom his failure was principally attributed.

Discontent was now circulated, and *gentle* opposition to the executive advised and encouraged. It was regretted that *fortune*, or some *more powerful agent*, had not interposed efficaciously and made Mr. Burr President. It was discovered that the executive was too *philosophic* for his station, and that in the Vice-President all the qualities of the statesman and the soldier were happily combined! He was all that was great and good!

The murmurs of these office-hunting patriots were by no means allayed by events in the state of New-York. In September 1801 Mr. Burr was, by not a few, strongly suspected, and not on light grounds, of improper conduct during the Presidential election; and his deportment subsequent to it, as well as that of his friends by whom he was surrounded, had far from a tendency to lessen the suspicion. He had spoken, on various occasions, in terms of great disrespect of the administration; and in a company of federal gentlemen in this city, at which many of our high-toned lawyers were present, he had declared that the *republicans*, the conservators of liberty, were incompetent to maintain, without the aid of the respectable of the

federal party, a truly dignified government. His tete-a-tete remarks were the following day reported in Mr. Lang's Gazette, and, I have reason to believe, truly.

With these and many other evidences of dereliction and disaffection, which it would be tedious to enumerate, suspicions strong and well-founded were entertained that his views were extremely pernicious. These were corroborated by the knowledge that General Hamilton had openly declared, in a mixt company at Albany the preceding winter, that Mr. Burr had *intrigued* for the Presidency, and that he could prove it *in a court of justice!*

The Council of Appointment were not ignorant of the causes which had excited the suspicion, and it is not necessary to conceal their just and patriotic determination to abstain from appointing to offices those who were *known* to be willing instruments in the hands of Mr. Burr. Accordingly great caution was observed by the appointing power in the dispensation of offices, such as we had a right to expect from men distinguished for wisdom, patriotism, and integrity. But with all their care, a few persons attached to Mr. Burr received appointments. Nor is this surprising; for at that time, the subject that has been so fully discussed since, was in embryo. The applications, however, of the noted devotees to the Vice-President failed. Mr. Thomas Smith, a clerk in chancery, had the extreme *modesty* to apply for the office of RECORDER of the city of New-York! Were you, my dear sir, acquainted with this gentleman, you would join with me in pronouncing the application an act of singular vanity. Mr. Smith's abilities may be adequate to the *mechanical* office he holds, but when he aspires to any thing higher, he greatly over-rates his powers.

Mr. Smith was disappointed in his exorbitant expectations, principally owing to a want of ability to fill the office; his devotion, however, to the Vice-President formed an obstacle to the completion of his wishes.

Mr. Timothy Greene applied for the office of *Surrogate!* There was in this application something indeed very extraordinary! You have heard in what manner Mr. Burr administered to the effects of Albright Bhernes. Mr. Greene was inexplicably connected with him in that singular transaction; and the suit now pending against the Vice-President at the instance of the friends of the deceased might have been in the *Surrogate's* department! Under these circumstances it would have been as indelicate in the Council to have appointed Mr. Greene to that office, as it was in him to apply for it. Mr. Greene was a travel-

ling agent for Mr. Burr during the Presidential election; the seat of his particular mission was Columbia, in South Carolina.

Mr. Ezekiel Robins—a rare instance of ignorance and vanity united—a friend of Mr. Burr, was, perhaps, of all others, the most extravagant in his expectations. To secure *one* he laid claim to many offices; he was frustrated in every instance.

Disappointment united these pretenders to patriotism more closely to Mr. Burr, who was the benignant patron of the *unfortunate!* No discontented man ever went to his house and left it without *commiseration*; for disaffection augmented his evanescent ranks, and he nourished it with *paternal* sensibility!

In September, or at farthest, October, 1801, there is reason to believe all *written* correspondence between our virtuous chief magistrate and the Vice President had *ceased*. Persuaded that at Head Quarters he was viewed in an unfavourable point of light, and mortified since he could no longer dictate the appointment of his adherents, he turned his attention to the state government, where he found the same difficulties to encounter.

His first object was to effect a change in the Council of Appointment conducive to his views and kind to the expectations of his craving friends. It was important that his influence should increase in the state of New-York at least in proportion to its diminution in the union. He therefore aspired to a seat in the state convention, where he flattered himself he could mitigate the fervor of suspicion which began to manifest itself in well-informed circles in various parts of the state. To prevent the election of those whom he had reason to believe were aware of his past conduct, was essential to his success. This he attempted, but in vain.

His scheme to reduce the number of the Senate from 43 to 16 members, was dictated by a wish to effect the change in the council of appointment already mentioned. For a full exposition of his arts on this important subject, I take the liberty of referring you to the "View."

His deportment in the convention strengthened and confirmed pre-existing suspicions. It excited enquiries extremely prejudicial to himself.

His connection with the notorious John Wood, and the suppression of his History of the Administration of Mr. Adams, were a topic of common observation in the city. In these singular transactions he appeared to great disadvantage.

Jealousy and suspicion every day increased among those who kept a steady eye on the crafty Vice-President, and even to

persons who rarely do more than glide over the superficies of great political events, he appeared in a forbidding attitude.

In the Senate of the United States, he was artfully mysterious. Fearful of exciting the displeasure of the Federal, by an exhibition of undisguised attachment to the Republican members, he kept aloof from those who had been instrumental in elevating him to the second function in the government. This cold and cautious policy, that betrayed self-condemnation, was followed by its natural effects: it incited in the republicans disgust, while the federalists saw in it a pusillanimity, an indecisiveness, incompatible with the boldness of his designs.

This was the more surprising to the federal senators, as in private he was with them more than usually affable and courteous.

The distance that separated the republican senators from the Vice-President, was every day increased, and in a short time he found it necessary, in some degree, to throw aside the veil which he had fancied covered his duplicity.

I allude to his conduct on the judiciary bill. On this I need not expatiate; it is sufficiently known, and, among Republicans, reprobated. I will only add that while he manifested a disposition to act with the Federalists in the Senate, he had not the courage to do so openly; he affected to oscillate between the two parties. His hostility to the administration, his designs, and his views were now displayed to the Republican Senators, in a form and substance too glaring to be doubted.

An event which immediately followed confirmed their opinion—I mean the secrecy with which he meanly visited the *federal* bacchanalian meeting at Washington, and the memorable toast he there drank, viz. “AN UNION OF HONEST MEN.”

This celebrated toast was drank upon the back of his conduct in the Senate, when many of the federalists were urging the people to rebellion, and more declaring, from motives purely of a party nature, and not, as I think, from a sober conviction of its truth, that the constitution was violated and the independence of the judiciary gone forever. He who will maturely consider these, and all the other then existing circumstances, cannot for a moment doubt of the views with which the sentiment was given. It was an invitation to an UNION, not of *honest* men, but of himself with those by whom he was surrounded, and who, in all probability in his presence, drank sentiments, in relation to the executive and to Congress, of the most inflammatory and odious kind.

His proceedings in respect to the Judiciary, and to the "UNION of *honest* men," were displayed in February 1801. At this period I well knew the contents of the letter written by Mr. William P. Van Nefs to Edward Livingston, Esq.† and the circumstances under which it was penned. Nor was I, and several of my friends, unacquainted with the arts that had been practised to estrange Mr. Linn of New-Jersey from his duty as an upright and faithful representative. There was also another circumstance of no trivial import:—Judge Livingston—whose veracity no one will call in question---had repeated, what General Hamilton had declared in Albany, that Mr. Burr had *intrigued* for the Presidency, and that he could prove it in a court of justice.

Under these circumstances—his known hostility to the administration—the declamation of some of his indiscreet *confidants* against the executive—his sedulous endeavours to court the affections of the heads of the federal party—his attempts to pervert the freedom of election in respect to the state convention—his conduct in that assembly—his mysterious suppression of *Wood's* history of the administration of Mr. Adams—his conduct on the Judiciary—his *union of honest* men—the letter of Mr. Van Nefs, suggested, in all probability, by himself—and the good reason we had to believe that he had entered into a negotiation with Mr. Ogden to elevate himself to the Presidency—under these and other circumstances, too minute for description, what honourable course was left for the friends of the administration to pursue, but to prevent, at the approaching April, our annual election, the nomination of any of his adherents? Among a few there was only one mind on the indispensability of the measure, but difficulties occurred with regard to its execution.

On the one hand the election was too near to afford time, previous to it, for a public discussion of a subject so complex and important; and on the other, in order to succeed in excluding from the list of nomination the partizans of Mr. Burr, it was necessary to impart, to several respectable and influential friends, more extensive information of his and their transactions. The question then was—how shall this be done?

It was deemed most adviseable to call them together privately, and to converse on this, our common concern, with all that candour and unreservedness which become freemen.

Note.—Mr. Livingston had shewn it to several of his friends in Congress.

When assembled, much of that information which is already before the public was communicated, and, happily, there was only one opinion as to the propriety and necessity of the measure proposed, to wit, to prevent the nomination of any of Mr. Burr's adherents.

This small assembly was attended with all the benefits desired—the information derived from it was privately extended, and we devised the necessary plans for obtaining from the respective wards, larger committees of nomination than usual. This was done to obviate those intrigues which may be successfully practised in a small committee, and which we knew were in agitation to procure the nomination of Mr. Van Ness, and one or two more of the friends of the Vice-President.

We succeeded beyond our most ardent expectations; not one *known* friend of the Vice-President was put upon the list of nomination.

I have travelled this circuit of tedious narration to enable you to understand and to appreciate what is to follow, in respect to Mr. Irving; and this must be my apology for the seeming defect of arrangement.

This young hero, more remarkable for his vanity than his erudition or good sense, was ambitious of becoming a state legislator. He had exhibited distinguished zeal in one or two of our elections, and now looked for reward. He was intimately acquainted with most if not all of the members of the small assembly mentioned, and as many of them had a tolerable opinion of his integrity as a man, and attachment as a politician to our excellent administration, there appeared a disposition to gratify his wish for a seat in the assembly. This tendency to confer upon him a favour was increased by the knowledge that the partizans of Mr. Burr, deeming Mr. Irving unfriendly to him, were determined to oppose his nomination.

It was necessary, however, before our friends nominated Mr. Irving, to sound him in respect to the great question. Accordingly, without conferring with them, Mr. Denniston, another gentleman, and me called on him at his house where we entered pretty fully into a conversation concerning Mr. Burr, and communicated to him the heads of the remarks which had been made in our private meeting. Mr. Irving appeared to accord with us in opinion; he expressed a *jealousy* of Mr. Burr, and intimated that he *never possessed his confidence*.

It was mentioned to him that our friends would exert themselves to procure his nomination. He expressed thanks for their kindness, and added that although others had superior claims,



yet if successful, his election would be extremely gratifying to him.

We were now, as we imagined, possessed of additional evidence of his fitness, as to the only question that then divided the faction and the great body of the Republicans, to represent in the Assembly the city of New-York. We were persuaded that he who affected always to have entertained doubts of the political integrity of Mr. Burr, could not do less than *doubt* after the communications that had been made to him, and that to question the views of a politician was good ground for with-holding from him confidence and support.

Impressed with this conviction, our friends in the committee of nomination mentioned, among others, the name of Peter Irving. His nomination was strenuously opposed by the partizans of Mr. Burr; for notwithstanding all our precaution a few of them found their way into the committee. The two parties understood each other perfectly, and the Republicans and Federalists were never more warmly opposed.

In despite, however, of their opposition, Mr. Irving was nominated and elected a member of the Assembly.

For this distinguished mark of confidence, he expressed to those who he was sensible had warmly supported him, the many obligations under which they had laid him.

Thus, sir, you see that on the score of opposition to Mr. Burr, an opposition dictated by well-grounded jealousy and distrust, Mr. Irving was elected a member of the Assembly; nay, that the friends of the administration had been induced to nominate him principally by his insinuations of disaffection to the Vice-President. You will please to retain a recollection of this, and carry it along with you in our review of his subsequent conduct.

For two or three months after the election, however, to his friends, Mr. Irving continued to speak of Mr. Burr in terms of disapprobation. It was understood, and he had given, to those of the friends of the administration with whom he conversed; cause to conclude that he was opposed to him, and no one *at that time*, doubted his sincerity.

Mr. Irving was elected in April 1802; in June the Narrative of the suppression of Wood's History made its appearance, This was justly viewed by the faction as the herald of a more formidable appeal. In August the "View" was ushered into the world. This publication tended to hasten their decision with regard to a newspaper establishment, which ever since the election they had contemplated. They judged it essential to

have a newspaper for their party, and to keep it in their service they determined to have it in their pay.

There was one difficulty however to surmount—few men could be found willing to engage as editor in so unpopular an undertaking. Application was made to Mr. Holt, editor of the Bee, but his integrity could not be purchased.

Mr. Irving, who kept a druggist-shop, but who was now nearly out of business, was courted by Mr. Burr, the Swartwouts, and the Van Nesses with all the affectation of seductive lovers. Why, after their opposition to him in the committee of nomination, an opposition founded on the presumption of his hostility to Col. Burr, they thus ventured to ensnare the young man, I cannot say. But you may be ready to ask—did they presume on his pliability, or reckon upon his imperious circumstances? I might incur the imputation of indecorum and uncharitableness were I to dwell with minuteness and just severity on the query. As it is one that affects the heart, I leave you to judge of it by events.

Mr. Burr and his friends obtained an easy conquest. Mr. Irving, with but little resistance, surrendered at discretion.

Proposals were now issued for the *Morning Chronicle*, to be edited by Mr. Irving, and the greatest exertions made by the friends of the Vice-President to obtain for it a large subscription.

Still, with many of those who had supported his nomination in the committee, he joined in *mildly* reprehending the conduct of Mr. Burr! This artifice, tainted by the hand of his patron, had the wished-for effect—it wrought, in the minds of many of the friends of the administration the delusive opinion, that the *Morning Chronicle* would be exempt from the undue bias of the Vice-President.

The conversation of the friends of Mr. Burr, however, was varied according to the political opinions of those whose aid was solicited. To the federalists—who very liberally encouraged this child of faction—the *Morning Chronicle*, unlike the *Aurora*, the *Albany Register*, and the *American Citizen*, was to be---a *decent*, a *respectable* paper, free from those offensive remarks to the federal party for which they are distinguished! I need not tell you, my good sir, that Mr. Irving has faithfully adhered to the promises of his friends!

Among the Republicans there were nevertheless some with whom the pretended hostility of Mr. Irving to Mr. Burr had no effect; and although he utterly disclaimed a design to support him, yet they doubted his sincerity. To these, application to

encourage his paper was fruitless; they were convinced of the guilt of Mr. Burr, and after what had taken place between themselves and Mr. Irving during the election, they were far from thinking his connection with the Vice-President an honorable one. Subsequent events have confirmed their opinions and justified their conduct.

Having thus briefly answered your queries, you will permit me to advert to the evidences which exist of concert between the federal party in this city and the partizans of the Vice-President.

The Morning Chronicle made its first appearance on our political theatre in October 1802. Avarice is a passion so narrow and selfish, that it excludes from the bosom it inhabits every liberal consideration. An inordinate desire for wealth impedes the cultivation and growth of the more ennobling sentiments. This passion reigned uncontrolled in the breast of Mr. Irving when he engaged in the service of the Vice-President, and it is presumable that he has sacrificed to it the sublime sentiments of a patriot.

Two reasons are assigned for this presumption. Previous to his connection as an editor with the Vice-President he openly, as I have shewn, reprehended his conduct; he has since declared that in assuming the editorial character his primary object was *self-interest*, and intimated that he would accommodate his politics to this ruling passion, or in other words, that he would make politics a *secondary* consideration.

With a disposition so selfish, a desire to acquire wealth so strong, it could not be expected, nor was it believed, that he would cordially co-operate with the American Citizen, in defending the principles of our government against the open and incessant attacks of the federal party; much less could it be hoped that he would aid in developing the conspiracy of his patron: It was more reasonable to conclude that he would assume a neutral position between the two great parties. With regard to Mr. Burr, it was plain that he had no choice between palliating that very conduct which he had once *honestly* condemned, and losing his editorship.

But circumstances other than those arising from his connection with the Vice-President, were not necessary to convince me of his enmity to the cause advocated by the *American Citizen*. It was not to be expected that Mr. Burr would be pleased with Mr. Irving unless he exhibited a spirit of *qualified* resentment against its conductor, whom he had reason to believe had a hand in exposing his intrigues. And yet such

was the spirit of the times, the wretchedness of his cause, and the intellectual impotence of him to whose management it was confided, that it was judged *expedient* that the *unheeded* resentment should be rather of a lasting than violent nature.

Still on my part policy dictated an amicable course, for there were many who disbelieved that Mr. Irving, *after* his connection with Mr. Burr, would attempt to justify what he had *before* honestly condemned. They respected his previous declarations and were unwilling to believe that he would be guilty of inconsistency so palpable. It was therefore necessary to undeceive them, and to this end a friendly overture was made in the Citizen the day after the publication of the first number of the Chronicle, but it was rejected.

The rejection neither surprized nor disappointed us; it was anticipated, and, if confirmation was then necessary, it confirmed our previous opinion of the nature of his connection with the Vice-President.

This refusal to co-operate with the Citizen, and of course with the other republican papers in support of an administration eminently entitled to our best regard, became a subject of eulogy in the federal prints. Mr. Irving had immediately the *honour* of admission into the editorial federal phalanx, for with them it is a maxim that *he who is not against them is for them*—neutrality being considered an advantage.

What were his feelings on this occasion I neither know nor care, but I am sure that an *upright* Republican would blush at the thought of becoming a subject of encomium in the federal prints; he would view such an event as an excitement to suspicion. This alone was sufficient to admonish us to watchfulness, and to receive with distrust whatever came from the editor of the Chronicle.

In whatever related to Mr. Burr, among the Morning Chronicle, wholly devoted to the promotion of his views, the Evening Post, patronized by General Hamilton, and the New-York Gazette, principally under the guidance of Dr. Linn, there was a perfect union. The Post, with an exterior of *impartiality* (for hypocrisy is never without a pretext) employed its ingenuity in extenuating the conduct of the Vice-President. While General Hamilton, who in unfolding the conspiracy of Mr. Burr, had laid the foundation of his political ruin, his editor—so inexplicable are the arts of intrigue!—became the champion of the *American Catiline*.

While the Evening Post was playing this artful game to conciliate the affections and draw over to the federal party the

friends of the Vice-President, Dr. Linn was by no means an indifferent spectator of passing events. His "short notes," in which he was alternately the eulogist of Hamilton and Burr, are not forgotten. In these fugitive productions he co-operated with the Post, and both treated the adherents of Mr. Burr as deserters!

Meantime although Mr. Irving was gratified with the plaudits of Mr. Lang's writers, and the approbation of the Post, yet no formal vindication of the Vice-President appeared in the Chronicle. It was too early (in October 1802) to throw away the mask, and become the avowed advocate of an atrocious crime. We were now and then *menaced with denouncement*, and presented with a few paltry scraps, but they were the miserable effusions of imbecility and malice.

Mr. Irving however did not long remain silent with regard to Mr. Burr. On the 25th of November, the anniversary of the evacuation of the city of New-York by the British troops, he published his celebrated correspondence with Mr. Ogden. That this correspondence was the child of pre-concert, of a complete understanding between Mr. Ogden and Mr. Irving, cannot, I think, after what has been said elsewhere be considered, admit of a doubt. The letter of Mr. Irving in all probability was dictated by Mr. Burr, and facts warrant the assertion that Mr. Ogden was well aware of the evasive manner in which it was intended he should answer it. Never did two jugglers play into each other's hand with greater dexterity.

On the 24th, the date of the correspondence published on the following day, Mr. Swartwout, in (it is believed) Mr. Burr's carriage, called at the office of the Chronicle, whence Mr. Irving accompanied him to the house of the Vice-President.

Why this visit the day preceding the publication of the memorable correspondence, if Mr. Burr had not the principal management of it? Is it not probable that Mr. Ogden's answer was received when Messrs. Swartwout and Irving waited on the Vice-President, and that they conveyed it to him for his inspection? But I mean not to discuss this affair of pre-concert; it has been sufficiently handled in another place.

And what was the conduct of the Evening Post on the publication of that artful correspondence? It was such as was expected; the editor joined the Chronicle in pronouncing the attack on the Vice-President a wicked, a groundless, a disgraceful one! In the evening of the 25th the correspondence appeared in the Post, accompanied with remarks characteristic of him only who wrote them. By way of eluci-

dating the understanding which existed between the *Chronicle* and the *Post*, in respect to Mr. Burr, and to exhibit a specimen of the *decorous* language employed by Mr. Coleman, the editor of the latter paper, the following extracts from his remarks introductory to the correspondence, are here republished.

Speaking of the eighth letter addressed to Col Burr, Mr. Coleman says,

This "letter has been republished in all the democratic newspapers in the United States south of New-York. The *Morning Chronicle* alone, among what are called *Republican* papers, had the firmness\* to say that the *proofs* promised had not been produced, and he met with a moderate share of scurrilous abuse from the *Alien* editors of the *Citizen* and *Aurora*, for the *decency* of his behaviour."

"In the eighth letter, so much vaunted of, and containing the whole strength of the junto,† not even an approach has been made to produce what we Americans understand by testimony, though perhaps the *Citizen* may have been sincere when he supposed *assertion* was the synonyma of *testimony*, and the *Aurora* may very probably have thought so also; for the editors of these papers, neither by education or [*nor*] habit have any idea of the distinction between truth and falsehood, virtue or vice,‡ or know any thing of the decencies or civilities of life;

\* *Firmness*!—a singular term to apply to a man pre-determined not to admit into his paper whatever had a tendency, however justly, to censure his patron. The conduct of Mr. Irving, in respect to the publication in question deserves reprehension. It was his duty to lay it before his subscribers, and if the proofs adduced were, as alleged, insufficient to convict the Vice-President, so much the better for him who sought only to screen his offences. But although I wrote him a note requesting its insertion, he had neither the impartiality to insert it, nor the magnanimity to attempt an open and candid refutation of the charges it contains. To say the least he must admit that the letter exhibits just grounds for *suspicion*, and this conceded his conduct is left without apology.

† This insinuation is unfounded; the letter in question was composed by myself; no other person wrote a line of it.

‡ The reader is mistaken if, in noticing Mr. Coleman, he expects I shall imitate his rudeness. It is proper, however, that those who may read the illiberal and indecent text should know something of the character of him who penned it.

Mr. Coleman was born in New-England. He owes his education to the bounty of sympathising friends. He was admitted to the bar in Massachusetts, and *practised* sometime in that state as a petty lawyer.\*

\* "Physicians are apt to despise empirics; lawyers, pettifoggers; and merchants, pedlars." Swift.

it is therefore a little unreasonable and certainly quite useless to expect from them the least accuracy in the use of terms."

"Mr. Irving has taken a very proper and correct step to set the public right in this particular. [The negotiation.] His *well-written letter* to Mr. Ogden and his reply which have appeared in the Morning Chronicle of this day, we here subjoin—*without comment!*"

New-York Ev. Post, Nov. 25th 1802.

Similar observations accompanying the publication of the correspondence, appeared in the New-York Gazette. In both Mr. Burr was represented as an innocent and much injured man, his opponents as ambitious, envious, cruel, and unjust, and Mr. Irving as a paragon of every thing good and great!

The remarks of the Post† were extremely flagitious. Mr. Coleman was undoubtedly not ignorant of the declaration made by General Hamilton at Albany, with regard to the intrigues of

He acquired so much knowledge of the law as to become acquainted with its *tricks*. When he had made *his proficiency* he turned *speculator*, and became the ringleader of a gang too refined in their notions to resort to industry for a livelihood. The natural consequence succeeded to a few year's career in an *honourable* course. He became involved and found that he had forfeited all claim to reputation. He then deemed it *expedient* to leave the state of Massachusetts.

From Massachusetts he migrated to New-York, where he flattered himself his deeds were unknown. In this city he bent the knee of sycophancy without distinction to those from whom he expected favours. He thus sought friends, and as some men are fond of that selfish adulation which others very justly condemn, he sought not in vain.

To the intercession of the influential in the profession he is indebted for his accession to the bar of New-York.

In the true spirit of an adventurer he now aspired to the clerkship of one of our courts. I cannot describe his perseverance in soliciting this office, nor the meanness to which he descended to obtain it. No federal friend was exempt from his importunities, and many of them witnessed his tears for their influence. *New-England* politics unhappily prevailed at that time in the council of appointment of the state of New-York, and he succeeded.

He did not however long enjoy the office. After two or three years of insubordination the state of New-York recovered its senses, and he was removed. His courtship of the members of the council of appointment for a continuance in office was unsuccessful.

Destitute of the means of subsistence, he engaged himself with General Hamilton and other leaders of the *federal* party in the city of New-York as their editor, and his vicious conduct in that capacity has no parallel in the history of the world.

Such are the outlines of the character of one who arrogantly pretends to teach *honest* men the distinction between virtue and vice, truth and falsehood.

† I know not whether Mr. Lang is admitted into the *federal* cabinet secrets.

Mr. Burr to seat himself in the Presidential chair. Nor do I believe he was unacquainted with the letter written by that gentleman to a Federal Senator, in which he enumerates the terms of the negotiation as derived from Mr. Ogden himself. It is not probable therefore, that he really discredited the testimony adduced in the eighth letter respecting that negotiation. Considering his connection with the most intelligent and influential of the federal party, it will be judged impossible that he could disbelieve it. And yet to foment division in the Republican party, and encourage Mr. Irving in his efforts to encrease it, he pursues a course which, if followed by a reputable citizen, would be exceedingly dishonourable.

This accordance of opinion and *union* of action between the federal prints and Mr. Irving, are to be ascribed to motives dissimilar in their nature and objects. General Hamilton has judiciously remarked, that he who would betray one party cannot with safety be trusted by another; and I am persuaded that every honest and intelligent federalist must espouse this opinion. It is not therefore to be presumed, notwithstanding the solicitude of Mr. Burr to coalesce with them, that the federal party, even were they sufficiently powerful to elect a President and Vice-President of their own choice, would select him for either of those offices. They may *love the treason, but they hate the traitor*.

They have however a precious object to accomplish. Driven from the plenitude of power to the obscurity of nothingness by an abused and insulted people, their party are sinking into merited contempt—their numbers daily become less, and they avail themselves of every favourable incident that occurs to recruit their exhausted strength, and regain their lost ascendancy.

Hence we may reconcile the seeming difference which exists between the private opinions of General Hamilton and his friends, which are hostile to Mr. Burr, and the conduct of Mr. Coleman their editor, who in concert with Mr. Irving defends him with so much zeal. Were the federal party omnipotent, Mr. Burr would be dealt with according to the estimation in which he is held by General Hamilton and his followers; but they are feeble, and therefore it is that to re-invigorate themselves by the accession of renegades their prints cooperate with the *accommodating* Mr. Irving.

In uniting their efforts with those of the federal party, the friends of the Vice-President have had two objects in view. By endeavouring to operate on the *fears* of the republican party, they have entertained hopes that they could induce them to



cover his offences with the mantle of forgiveness. Failing in this, and providing for every contingency, they flatter themselves that their conduct will entitle them to admission within the pale of the federal sect, and their chief to the first gift in the power of the federal party to bestow.

On the first they made an experiment at the late election in the city of New-York, but without effect. After exhausting their ingenuity in intrigue and delusion; after trying every effort to promote the election of the federal ticket, and after coming out openly in some cases and secretly in others against the *Republican candidates*, they found that we were not only triumphant but that they appeared as a faction too contemptible to sway the decisions of the Republicans, and too feeble to impede their march to victory.

With regard to any aid they may expect from the federal party, they have no cause for self-felicitation. What, even with their auxiliary aid, can this withered and nearly extinct party do? Were they sincerely disposed they are far from having the power adequate to effect the election of Mr. Burr to the Presidency.

Human nature nevertheless is so prospective in its views and sanguine in its expectations, that the most melancholy conditions do not exempt us from hope. Without therefore agreeing, perhaps, to *terms*, the understanding between the federal and Burr parties is as perfect, and the unison of action as harmonious, as if both contemplated the accomplishment of the same design—the elevation of Mr. Burr to the chief magistracy of the Union.

This understanding and concert are not only manifest in whatever immediately relates to Col. Burr; they have also been apparent in respect to an important but unexpected event of recent occurrence, which more distantly concerned him. The interruption of our right of deposit at New-Orleans was contemplated by both parties as equally propitious to the views of each. The partizans of Mr. Burr, as well as Mr. Burr himself\* fancied they saw in the wished-for rupture—in those scenes of tumult and blood and carnage which were to desolate the country, an extinguishment of that discontent with regard to himself which threatened to consign him to the shades of private life. No one knows better than Mr. Burr that war is alike friendly to the growth and concealment of the most atrocious crimes. Its

\* With Messrs. Ross, Morris and Dayton, Mr. Burr was a strenuous advocate for war.

sanguinary laws, those powerful incentives to immorality, and the martial ardour it necessarily inspires, do more than half-shut the door to that dispassionate reflection, which is the safeguard, the surest, the only basis of national freedom and private happiness.

What shall I say of those who marshal the federal party? How shall I describe their ingenuity, their industry to excite, and the pleasure they anticipated in the prospect of war, remote as it was? What specious argument was there to which they did not resort—what *fabrication* that acumen and profligacy could invent—what meanness to which they do not descend, to kindle the flames of war and destroy the lives of our citizens? They sought through war a restoration of power, and they pursued it with incessant and undeviating steps. War is a foe to improvement—of that improvement in the management of our national concerns which we are every day making—of that retrenchment of abuses, alleviation of burthens wantonly and unnecessarily imposed by the late administration, and, generally, of that melioration of our affairs which are a formidable, an insurmountable BAR to the attainment of their views. War is the parent of *taxes*, taxes of murmur, and murmur, in a nation whose supreme power resides in a *representative government*, is an infallible presage of the downfall of the administration that levies them. The contemplation of so pleasing an event as the overthrow of the present administration, made them sigh for *war*; and I am conscientiously of opinion, that to accomplish it, they would risk the lives of one half of our citizens.

With these views the friends of Mr. Burr and the federal party, united in ardently recommending and zealously supporting war-measures. Here, too, in means they agreed, but in their respective ends they varied; for I venture to assert, that although the federal party readily avail themselves, to serve their purposes, of the services of the faction, yet that they never will recognize Mr. Burr as their chief. He is not in reality more distrusted by the republicans than by themselves.

The Morning Chronicle and Evening Post vied with each other in recommending and enforcing hostilities. *Coriolanus*\*

\* I mentioned in the Citizen that *Coriolanus* was written by Mr. Humphreys, our late minister at the court of Madrid. In this I may be mistaken, but I do not think that I am. Mr. Humphreys arrived in the city of New-York about two weeks previous to the publication in the Chronicle of the papers with that signature. During their insertion he frequently visited, accompanied by the famous Col. William

was the champion of the former, and Mr. Coleman strove to excel him in love of havoc and confusion. *Coriolanus*, in a sarcastic strain, ridiculed the pacific, yet wise, firm, and dignified conduct of the executive; and Mr. Coleman, treading upon his heels, and sometimes marching rapidly before him, termed it *meanness*, *puffillanimity*, and *cowardice*! *Coriolanus* suggested indefinite conquests, and Mr. Coleman applauded his spirit; he *blustered*, and Mr. Coleman commended his *courage*.

“Will our *dignified* President and his *wisely chosen* ministers,” says *Coriolanus*, “*continue* calm spectators of *contemplated*† encroachments on our important western boundary?” “If our government sits tranquil until the exchange is complete and possession taken, permit me to ask our rulers what steps they will take to ensure the navigation of the Mississippi, and the establishment of that place of deposit, promised by the court of Madrid by treaty, so essential to our commerce, which the act of the Intendant has so insultingly *broke*” [broken].

He then urges immediate war, and adds

“To wait the result of *tardy* negociation without a shew of resentment and resources, will be, at this important crisis, to hazard every thing. *A southern movement of the troops*, already embodied under General Wilkinson, will facilitate negociation, *if negociation be deemed by Government the best means of obtaining redress*.”

Morning Chronicle, Dec. 17.

“Will our *dignified* President”—a fine sarcastic stroke, says Mr. Lang’s Gazette, for it is a well known truth, and no one is more sensible of it than the *patriotic* writer of *Coriolanus*, that in the measures of the administration there is neither *dig-*

## D

Smith, the office of the Morning Chronicle. The writer affects to detail in various parts of the papers, the private history of the Spanish court with regard to the transfer of Louisiana to the First Consul; with which, if true, none but a minister or an executive character could have been acquainted. Mr. Humphreys, in private companies, spoke of the essays of *Coriolanus* with all the tenderness and affection of a parent. Of a friend of mine, whom, in company with Col. Smith, he visited while in the city of New-York, he anxiously enquired, “have you seen the Chronicle of to-day? No. “Then you have not read the pieces of *Coriolanus*.” I have not, was the answer. The gentleman remarked to me that he thought Mr. Humphreys, who is known to be opposed to the administration, manifested a wish to have it believed that he was the writer of *Coriolanus*.

† With great reason we laugh at Europe for lighting the torch of war to adjust the balance of power, but here, we were to commence an unauthorized, an aggressive war to prevent what the writer is pleased to term “*contemplated*” encroachments on our territory.

city nor energy ! If this be the way in which Mr. Irving means to support the administration,\* he deserves, adds that Gazette, the support of every good man !

“ If the administration has energy enough for this dignified enterprize [the taking immediate possession of New-Orleans, and invading Louisiana west of the Mississippi] we doubt not but they will view the outrageous proceeding of the Spanish government with the same indignation that we do. They will therefore, we trust, enter promptly into it, [war] firmly persuaded that the Kentucky country alone could, in one week, raise sufficient force to conquer all the Spanish possessions in the Mississippi.”

Coriolanus, Morn. Chron. Dec. 18.

“ I will even venture to predict, that if this highly important question is not taken up with firmness and acted upon with decision ; if the government should permit itself to waste the session in fruitless negociation, the nation will be paralyzed, and the administration shook to its centre. If, on the other hand, they move with dignity and firmness, [i. e. take possession of New-Orleans per force, and invade Louisiana west of the Mississippi with “dignity and firmness”] they preserve our character from destruction, and instead of calmly permitting it to sink beneath the horizon of notice, it will re-illuminate our Western hemisphere, and cast a benignant light on the empire rising where the sun descends.”†

Coriolanus, Morn. Chron. Dec. 22.

“ It cannot—it must not be. Our house of representatives will not permit the interests of the community at large to flow on in a languid current ; an absolute interference with our rights already exists ; we know only the aggressor, and prompt measures may surely be taken to check the operating evil, without giving just offence to any other power. What reason can possibly be given for delay ? Are we not supported by the solemnity of old and recent treaties ? Shall we wait until we are hunted down by specious arguments, or real terrors ; shall we, bereft of every ally, wait submissively until the deep plan, long concerted and kept profoundly secret, bursts upon our astonished senses ? Let us rouse at once, and at the head of our existing troops, possess New-Orleans and Mobile. We had surely better do this by rapid military movements than stand

\* He promised, in his Prospectus, to “ support the administration ! ”

† “ The empire rising where the sun descends.”

Volunteer toast at the late dinner given to Mr. King.

The words of Coriolanus and those of the toast are precisely the same. Thus federalism and Burritism go hand in hand throughout !

gaping in amazement, staggered by the force of truth, yet crying out is all this possible? Yes, it is possible; a conspiracy (which will eventually become one against the whole continent of America) is begun, such as never was contemplated before, and its object is in part completed before we have adverted to its existence."

Coriolanus, Morn. Chron. Jan. 1, 1803.

"Where is the spirit of seventy-six? Where have our patriots and our heroes fled? Will our Government commit itself in the first instance to *cobweb negotiations*? It is an important truth, my countrymen, that if our rights are not reclaimed and full possession taken of New-Orleans [by war] before the following three months expire, the freedom of the navigation of the western waters will never be re-possessed by the United States, but with an immense expenditure of blood and money, and a *lengthy solemn war*."

Coriolanus, Morn. Chron. Jan. 1, 1803.

Such are the opinions broached by Coriolanus in the Morning Chronicle; opinions well known at the time when they were thus boldly advanced, to be hostile to those of the administration—to the practice of all civilized nations—to the honor—to the solid interests of the United States, and to their invariable usages under analogous circumstances. But lest it should be said that they are not those of Mr. Irving, I will quote an *editorial* paragraph, written, I presume, by himself.

"Our opinion of the serious and eventful nature of the subject, has already been expressed; and we think the remarks of our correspondent Coriolanus, *worthy the particular attention of our Representatives in Congress*."

❖ Morn. Chron. Jan. 6.

During the publication of the papers from which the extracts above are made, the sentiments they contain, couched in similar language, were propagated in the federal prints with an assiduity rarely equalled. From the earliest stages of the controversy with regard to the suspension of our right of deposit, those who manage the federal party and conduct the federal presses, forgetting the uniform usages of our government, and disregarding the grave admonitions of the best writers on Universal Law, fought only to precipitate the Union into *war*; and so impetuously were they propelled by a passion for havoc and spoil, that pacific measures in the first instance, such as comport with the justice, and are calculated to preserve the majesty of the nation, were stigmatized with the opprobrious epithets of *imbecility* and *cowardice*.

From an abrupt and impassioned condemnation of measures, the transition to a reprehension of their authors, was easy. The high functionaries of the nation, those to whom are committed all that is dear to it, were made subjects of the most atrocious calumny and outrageous abuse. Although unceasingly employed in the pursuit of measures calculated to guard the rights, promote the interests, and maintain the dignity of the nation, the President, and the other public agents who thought and acted with him, were represented as regardless of these inestimable jewels.

The President wanted *energy*! This was the eternal theme of federal animadversion; but thanks to the good sense of the people, this mantelet to whatever is vicious in the political world no longer deceives. The genuine import of the term is perverted for party ends. In the *federal* vocabulary of the day, it no longer imports the collected, vigorous, and unimpaired power of the nation, brought into operation by the necessities, and wielded by the wisdom of the state. Did he retrench a multiplicity of useless expences and recommend the abolition of the internal taxes? He wanted *energy*! Did he restore freedom to the PRESS? He was *feeble* and *unenergetic*! Did he provide for the reduction of the public debt, by the payment of the public creditor? He was an enemy to public faith; he relaxed the springs of government; he destroyed its *energy*. In short, the term *energy*, as used by the federal prtry, means a government possessed of power undelegated by the people—imposing taxes burdensome to them—laying restraints upon the press unwholesome to their freedom, and accumulating a PUBLIC DEBT in wasteful prodigality, in contempt of justice, to the lasting impoverishment of the state, to the discouragement of productive labour, and the cultivation of those great and magnanimous qualities which are the props of national grandeur, the parent of brilliant and heroic deeds.

Coriolanus adopted, in the language employed in his papers published in the Morning Chronicle, the federal import of the term. He assailed the administration under cover of an hypothesis. Pursuing his inflammatory strain, his insidious declamation, he remarks, “*If the administration has energy enough for this dignified purpose*”—what was the *energy* lacking, what the object to accomplish which it was to be employed? If ever an administration merited and possessed the confidence of a brave and enlightened people, it is the one under which we live and by which we are blessed. There is no other government on earth around which the people would so promptly and

cheerfully rally as the "safe-guard of their rights." It therefore possesses *energy* commensurate to the power of the nation. It calls, and the people obey; it points to victory, and they achieve it.

Possessing then, in an eminent degree, the confidence, and commanding the power of the nation, it is essential to the retention of the one, and the judicious exercise of the other that the cause in which the latter is to be employed should be *just* and *necessary*. What then was the *dignified* purpose on which Coriolanus declaims? Aggression; conquests; the invasion of New-Orleans by a "rapid military movement;" the subjugation of Louisiana west of the Mississippi—a visitation to the *mines* of Mexico!

To inflame the minds of the people and embarrass the administration, *false* facts were assumed, arguments advanced, and inferences drawn from them as if *true*. Coriolanus unhesitatingly asserts that the suspension of our right of deposit was the "act of the Spanish government." This unfounded position, which when advanced he had every reason to believe was untenable, was artfully assumed to justify the violent measures and warlike preparations recommended in his papers. But even if well-founded, although it might furnish plausible, it certainly would not be good ground for war, without a previous attempt at amicable adjustment. This opinion is supported by the best writers on the Law of Nations; by the proceedings of European governments in modern times; by those of the United States in the case of our disputes with the British government in 1793; in that of Spain in 1796-7 with regard to the boundary line then to be run, agreeable to treaty, between the respective territories of the two nations; and in that of our differences with France in 1797-8. In every instance *negociation* preceded, and rendered unnecessary, an appeal to the sword.\* But anomalies

\* The following extract from Mr. Fox's speech delivered in the House of Commons, March 12th, 1803, on a motion to increase the number of seamen, is in point, and shews that the opinion of that distinguished orator corresponds with the practice of our government.

"I hope that the object of the war will be clearly and distinctly understood. What are the subjects which may eventually lead to such an unfortunate result, I profess to be totally ignorant. Whether they refer to the possession of Malta, the evacuation of Alexandria, or whatever other points of discussion they involve, I have no means of forming an opinion. I shall just say, generally, that if our national rights are involved; if attempts have been made to lower that rank we have been accustomed to hold among the nations of Europe, *and all attempts at amicable adjustment have failed*, then I have no difficulty in saying that a war under *such circumstances* would be just." See the American Citizen, May 4, 1803.

from sage prescription, from authorized rules, from justifiable measures, and from the uniform practice of our government, were, in this instance, to be pursued. Extraordinary views require, to accomplish them, extraordinary measures. We need not be told that a change in the administration was the great object, and that war was the mean through which it was to be effected.

Hence, with a seeming solicitude for its continuance, we were gravely told by *Coriolanus*, that ‘if the government should permit itself to *waste* the session in *fruitless* negociation, the administration will be *shook to its centre*.’ The reverse of the position was much more probable, and the measures recommended by *Coriolanus* were, of all others, the most likely to effect the concussion anticipated.

In what abhorrence, in what detestation ought we to hold the man who would involve a nation in the calamities of war, without previously attempting, by negociation, to settle those differences to our satisfaction which are to form the groundwork of the greatest of all human afflictions? In this doctrine there is neither patriotism, nor justice, nor religion. The remark, urged with all the zeal of a selfish partizan, is a most pernicious one, and the glorious result of the wise and pacific measures pursued by the executive, is the best commentary upon it.

Did England, anterior to embarking in the war with France recently commenced, adopt the policy of *Coriolanus*? No; omnipotent as she is on the ocean, lofty in her pretensions, proud as a nation, and jealous of her character, she resorted to negociation, and, with unbecoming humility, sustained *insults* of which the United States cannot furnish an example. We find her very independence as a nation assailed by the demand of the First Consul to alter fundamentally her government, with regard to the LIBERTY OF THE PRESS, and the HOSPITALITY due to strangers by the law of nations. And what was her conduct? Did she abruptly terminate the negociation? No, she remonstrated with the First Consul on the impropriety of the imperious and humiliating demand, defended her rights as an independent power, and in respect to strangers residing in England who were obnoxious to him, she declared that their claims upon her for protection by the *Universal Law* were too sacred and obligatory to be dispensed with.

Had our Government acted thus, it would have been termed by those styling themselves *Federalists*, the meanest, the most pusillanimous, and the most cowardly; there is no epithet that



would have been too severe, no crimination, however unjust, that would not have been lavished upon it.

But party zeal, like that exhibited by the *Morning Chronicle*, is heedless of sound policy and of right. War was the favourite object of the federal party and of the Vice-President. The nation was to be plunged into its horrors, that the administration might at all hazards be rendered unpopular. And as negotiation promised those objects for which warlike measures were to be pursued, the former were denounced as the effect of a *criminal pusillanimity*. On this unjust ground the federal and Burr parties made a stand against the *executive*.

With a view to render the President unpopular, by exciting discontents against the measures recommended by him, and seconded by a patriotic Congress, it was remarked, in the *Morning Chronicle*, that "the *House of Representatives* will not *permit* the interests of the community to be destroyed." It had before been more than hinted in the same paper, that the President was "calmly permitting the country to sink beneath the horizon of notice."

Here was a direct, plain, and unequivocal attack on the executive. He was accused—of what? Of suffering the "interests of the nation to be destroyed," and of "permitting it to sink beneath the horizon of notice!"

But, says the *Morning Chronicle*, although, unfortunately, we have a President who is thus indifferent to the interests, the dignity, and the independence of the empire, yet, thanks to our good stars, the *House of Representatives* will preserve the interests, and prevent the nation from "sinking beneath the horizon of notice!"

What could have dictated imputations so uncandid, insinuation so illiberal, charges so unfounded, but deadly hostility to the administration? Had the President been unmindful of the interests of the United States? No; in every act of his administration we saw a peculiar solicitude to preserve and improve them. Had he "calmly," and as an indifferent spectator, viewed the suspension of our right of deposit? No, his chief attention was directed to its restoration, and to his vigilance and wisdom, in a great measure, is to be ascribed, without the loss of one drop of blood, the cession to the United States of the island of New-Orleans.

In the Message of the President communicated to the House of Representatives, Dec. 22, 1803, agreeably to a resolution of the house on the 17th, he remarks,

"In making this communication, I deem it proper to observe that I was led by the regard due to the interests of the

United States, and to the just sensibility of the portion of our fellow citizens more immediately affected by the irregular proceedings at New Orleans, to lose not a moment in causing every step to be taken which the occasion claimed from me; being equally aware of the obligation to maintain in all cases the rights of the nation, and to employ for that purpose those just and honorable means, which belong to the character of the United States."

On the first of January, several days *after* the publication of the President's communication, the *Morning Chronicle* imputed to him a want of attention. In the spirit of invective and groundless accusation against the executive, Coriolanus asks,

"What reason can possibly be given for delay?" that is, for delaying the "rapid military movement of the troops" which he had suggested.

Two reasons were assigned for "delaying the rapid military movement of the troops" It was justly doubted whether the interdiction was the act of the *Spanish government*, or of an individual (the Intendant) not authorized to perform it; and it was contended, even admitting it to have been the act of that *government*, that negotiation, in whatever point of light the transaction might be viewed, was, in the first instance, preferable to an immediate appeal to arms.

In respect to the first, viz. whether the interdiction was the *unauthorized* act of the Intendant, or the deliberate one of his government, Mr. Madison, in his report to the President on the subject, dated Dec. 21, 1802, makes the following remarks.

"Whether in these violations of treaty the officer of Spain at New-Orleans has proceeded with or without orders from his Government, cannot, as yet, be decided by direct and positive testimony; but it ought not to be omitted in the statement here made, that other circumstances concur with the good faith and friendship otherwise observed by his Catholic majesty, in favoring a belief that no such orders have been given."

In addition to the opinion here advanced by the Secretary of state, we were officially assured by the Marquis D' Yrujo, that the interdiction was an act purely of the Spanish Intendant.

These were cogent reasons for delaying the "rapid military movement of the troops" to invade the territory of a neighbouring power. I will venture to say that there is not, in the records of modern times, a single instance of a nation commencing hostilities under such circumstances;\* but there are innu-

\* See the Hon. De Witt Clinton's Speech on Mr. Ross's Resolutions.

merable of officers committing unauthorised offences, which, when known, their respective governments have disavowed.

But apart from those extensive obligations which bind independent nations to each other, and a departure from which involves weighty and serious considerations, sound national policy dictated negotiation before war. All nations have an interest in peace, but none more than the United States. Their extensive domain stands in need of an increased population, for in population national strength principally consists. They have an immensity of land that requires cultivation, which war would retard. They form a young empire, advancing, indeed, with giant strides to whatever constitutes the vigor, or embellishes a powerful nation; but war, the greatest calamity with which Omnipotence has afflicted mankind, would be an immense drawback upon their progress to that desirable state to which peace will hasten us. With regard to freedom, which neither the most ignominious slave nor the most illustrious freeman can justly appreciate, they form, undoubtedly, the "world's best hope." Is the clangour of arms, the din of war, the groans of the dying, the lamentations of those whom they leave behind, compatible with the tranquil, the all-captivating charms of freedom? He has a discordant soul who thinks so; he wants sensibility who affirms it; he deserves not to breathe the air of liberty who, when avoidable consistently with national honor, would unsheath the sword to inflict the deep and deadly wounds.

But without expatiating on the numerous advantages of peace, which are too obvious not to be seen by the most obtuse vision, where was the necessity for plunging the nation in war? What objects were to be accomplished by this harsh measure? "Indemnity for the past and security for the future," or in other words, to restore the right of deposit secured by treaty, and, advancing somewhat, prevent in future a like occurrence. Both were desirable. But were they unaccomplishable by negotiation? Experience has convinced that, according to the opinion of the executive and those who thought and acted with him, they were not. While, therefore, there was a probability, nay even a possibility, of obtaining by pacific measures, without national humiliation, what might be achieved by arms, was it not wise, was it not liberal, was it not humane, was it not just, was it not congenial with national honour, to try the experiment? It has been tried, and it has been found abundantly successful. The event redounds to the wisdom, the liberal and enlarged views of the administration, and must confound its opponents.

But war was the object of the federal party, and they fought by delusion to effect it. They perceived in the tranquil and renovating progress of the administration an insuperable obstacle to their restoration to power, and they therefore left no means untried to disturb the one and thwart the other. In the full expectation of effecting both, the Morning Chronicle, with an *affectation* of patriotism, exclaims,

“Where is the spirit of seventy-six? Where have our patriots and heroes fled? Will our government commit itself, in the first instance, to *cobweb negotiations*?” Where is the spirit of seventy-six? At the helm of government! Yes, it is there in its full vigor without the least attenuation. Where have our patriots and heroes fled? Many to Washington city, good Morning Chronicle, but they reside in every part of the union, to expose your insidiousness and resist your machinations. Will our government commit itself to *cobweb negotiations*? No, it will not, nor has it. It entered into *substantial* negotiation, and the wisdom of its measures is conspicuous in the ACQUISITION OF LOUISIANA.

Having noticed the open and insidious efforts of the Morning Chronicle to involve the union in war, in opposition to the opinion of the executive and a majority of Congress, let us follow its editor to Albany, the seat of our state government, and take a retrospective view of his conduct there as a member of the Assembly. In doing this it will be seen that he carried with him into the Legislature, and manifested, the same hostility to the executive and to Congress; the same zeal to co operate with the federalists, and the same desire to convulse the country.

On the 25th January, 1803, governor Clinton delivered to the Legislature a speech, from which the following is an extract.

“You must, however, have heard with regret, of the late unwarrantable conduct of the *Spanish Intendant*\* at New-Orleans, calculated to deprive the people of the United States of the free navigation of the Mississippi; but notwithstanding the sensibility so justly and generally excited on this occasion, there is every reason to believe that the *wise and temperate measures adopted by the President*, will remove all cause of complaint: should this not be the case, and a more vigorous course *become* proper and necessary, I feel confident it will be pursued; and

\* The governor very properly ascribed the “Unwarrantable Conduct” to the Spanish *Intendant*; not to his *Catholic Majesty*.

that this state, which so eminently exerted itself in the establishment of American Independence, will display equal firmness and patriotism in vindicating our national rights, from whatever quarter they may be assailed."

Sentiments so patriotic were expected from GOVERNOR CLINTON, whose military career during the revolution can only be equalled by the wisdom of his civil administration since.

The answer of the Assembly, echoed the sentiments of the Governor with regard to the *wise and temperate measures* adopted by the President. "We believe," the house remark, "that sound policy, as well as the dictates of humanity, point out the propriety of attempting to obtain redress by negociation before an appeal to arms; and therefore highly approve the "*wise and temperate measures of the President.*"

It will be perceived that the answer of the house above quoted, are in collision with the opinions so freely propagated by the Morning Chronicle. Coriolanus had vehemently contended that in the "*wise and temperate measures* adopted by the executive," were to be seen only an abandonment of the "*interests*" of the nation, and a fitness to "*sink it beneath the horizon of notice*;" but, averting his eyes from one so totally unworthy, according to his opinion, to be President of the United States, he added, in the vain expectation of inducing them to declare war, that our "*House of Representatives* will neither permit" a dereliction of the "*interests,*" nor suffer the nation to "*sink beneath the horizon of notice.*"

Were the opinion of Coriolanus correct, the "*wisdom*" of the President would be the most unpardonable *folly*, and his "*temperate*" the most *criminal* of measures; and that it was correct, according to the opinion of Mr. Irving, we cannot doubt after he has himself declared, in an *editorial* paragraph which appeared in the Morning Chronicle, January 6, that "*we think the remarks of Coriolanus worthy the particular attention of our Representatives in Congress.*"

Mr. Irving was therefore fully prepared to declare in the Assembly, that the measures of the President were not *wise*, and accordingly he *moved* that the following passage in the *answer to the Governor's Speech*, be "*EXPUNGED.*"

"We believe that sound policy, as well as the dictates of humanity, point out the propriety of attempting to obtain redress by negociation before an appeal to arms; and therefore highly approve the *wise and temperate measures of the President.*"

The motion to *expunge* was negatived, 63 to 25, and Mr. Irving was found in the minority with the *federalists* : not *one* of the Representatives of the *city* of New-York voted with him.\* They were *all* of opinion that the measures adopted by the President were *wise* and *temperate*, but himself; and he therefore, as it respects them, stood *alone* on the question. He had the pleasure, however, of *uniting* with *honest* men!

Defeat in the Assembly neither altered his opinion nor his conduct in respect to the wise and temperate measures of the President. He still thought or affected to think, with the rest of the leaders of the federal party, that the wisdom of the President was folly, and his temperate the most ruinous of measures. This was evinced by the manner in which the Morning Chronicle was subsequently conducted:

When the efforts of the *war-party* in Congress failed of producing immediate hostilities, Mr. Senator Ross, in the rage of disappointment, threatened, on his return home, to stir up the people in his neighbourhood; and Mr. Senator Dayton visited the western parts of the Union to see what could be effected!

It was hoped that Kentucky, Tennessee, the state of Ohio, and the Mississippi Territory, unmindful of the welfare of the Union, and of their allegiance due to it, would rise in rebellion against the Government and take possession of New-Orleans. Accordingly no means were left untried by the federal party to produce this unpleasant event. Pathetic appeals were made to their passions, and it was represented that their interests were sacrificed to a *feeble* and *disgraceful* policy.

In this spirit of opposition; and prepared to "die in the last ditch," rumours were industriously circulated in the federal prints, that the citizens of Kentucky, hopeless of obtaining relief from the General Government, had resolved to redress their own grievances, and that to this end *twenty thousand men* were encamped for the express purpose of possessing by force the town of New-Orleans!

Every rumour of this nature which appeared in the *federal* prints was carefully republished in the Morning Chronicle, unaccompanied with a single remark to expose its futility, or shew the views with which it was circulated. Coriolanus had said that Kentucky could raise, in one week, sufficient force to conquer all the Spanish possessions in the Mississippi, and then asked—"Why wait the *tardy* process of negotiation? The readiness with which Mr. Irving inserted the mischievous ru-

\* See Journals of the Assembly.

mours warrants the assertion that he joyed at hearing that "sufficient force" was *encamped* and determined not to wait the *tardy* process of negociation !\*

But Kentucky and the other states in the neighbourhood of New-Orleans, were sound. Neither the inflammatory writings of Coriolanus, the *touch* of the Vice-President, the war declamation of *federal* orators in the Senate, nor the insurgent animadversions of the *federal* prints, shook their attachment to the general government. They had confidence in the *wise* and *temperate* measures of the executive and of Congress, and they evinced it in their firm and orderly deportment, in unequivocal exhibitions of their patriotism, and in the detestation they manifested of the efforts employed to stir up commotion among them.

In whatever related to the delicate discussion of the affair of New-Orleans, the *union* between the Morning Chronicle and the Evening Post was cordial and perfect; for as they had but one and the same end in view, so they differed not in the means by which it was to be accomplished.

The following is one among innumerable instances of this cordiality,

Coriolanus, in the opinion of Mr. Coleman, was incorrect with regard to the date of the cession of Louisiana to Spain. In noticing the fancied error, however, Mr. Coleman exhibited all the grimaces of a courtesan. While as a man well read in history, he could not, consistently with his extensive literary acquirements, permit an error in chronology to pass unnoticed, yet as a politician he applauded in appropriate strains of encomium the *spirited* and *patriotic* remarks of Coriolanus!

The following is the reply of that writer.

"The editor of the *Evening Post*, of Monday, in a note on the subject of Louisiana, asserts, it was not ceded to Spain in 1763, as stated by Coriolanus in the Morning Chronicle. Not wishing to carp with one who seems disposed to *step forward on the theatre of national honor*,† and to *assist in guarding our common country from threatened danger*. I would recommend to the editor's perusal the history of Lewis the XIV."

Morning Chronicle Dec. 30, 1802.

\* During the publication of the pieces signed Coriolanus, upwards of one hundred copies a-day of the Morning Chronicle were sent *regularly* through the post-office of this city to the *Nat. bez.* Quere. Who paid for them, and with what views were the *sedition* papers forwarded?

† On the 20th Dec. ten days before Coriolanus thus complimented

The editor of the Evening Post was not, in noticing the reply of Coriolanus, less fraternal and complimentary than the Morning Chronicle. He remarks,

“Coriolanus will find we are no more disposed to cavil about trifles than himself; and although his explanation of this morning shews sufficiently that he is well acquainted with the subject on which he writes with *so much good sense and becoming spirit*, yet neither does he convict us of an error. We are pleased to see that all *real Americans*, however divided in local politics, are, on this occasion, *united in sentiment as to the true interest and dignity of the nation!*”

Evening Post, Dec. 30, 1802.

Thus you see, my good sir, that the Morning Chronicle and Evening Post understood each other perfectly, and that as they differed not in the end desired, so they united in the means necessary to attain it. They dispensed with *trifles*, and coalesced in the one grand object!

When the special mission was suggested by the executive and sanctioned by Congress, the tone and temper of the Morning Chronicle were changed; and as it was correctly conjectured that the purchase of the *eastern* Bank of the Mississippi was the great desideratum of the embassy, the next subject that engaged the attention of Mr. Irving was the *sum* to be given. Here the idea will no doubt suggest itself to you, that the First Consul is not ignorant that the Morning Chronicle is under the *patronage* of the Vice President.

It now became a favourite object with the federal party to defeat, if possible, the negotiation, by throwing every obstacle in the way of its progress.

After the appointment of Mr. Monroe, they entertained hopes of the failure of his mission.

Calumnies the most unfounded were propagated. It was openly and unblushingly asserted in the federal prints, that *Two*

the editor of the Evening Post, the following paragraph, speaking of the President of the United States, appeared in that paper.

“In every line (of his message) we readily recognize the style of the *ambitious, cunning, deceitful, demagogue*, whose principal aim is always to cajole the people by flattering their weakness. In the present as well as in the last public address of *this man*, we perceive the same *mean, ungenerous, unjust, dishonest*, attempt to erect a popularity for himself on the ruins of his predecessors.

This paragraph was written by Mr. Coleman, with whom the Morning Chronicle would not *cave* about *trifles*, since he was *disposed to step forward on the theatre of national honor, and to assist in guarding our common country from threatened danger!!*



*Millions of Dollars* were placed in the hands of the Executive to bribe the *Ministers* of the First Consul! Presuming that the circulation of this miserable calumny might induce those by whom the chief magistrate of France is surrounded, to demand *large gratifications*; and knowing that the nation, justly appreciating its character, was too proud to give them, it was hoped that, through the avarice of the one and the high sense of honor entertained by the other, the negotiation would fail.

It was also *ingeniously* supposed that the First Consul might be induced to ask more for Louisiana than the United States would be willing to give. This was another source of flattering expectation to the war party; high estimates of its value were therefore given.

With regard to this the Morning Chronicle was not a whit behind the federal prints. The editor, full of regard for the prosperity of the Union, thus hints to the First Consul the sum it is worth:

“*Amount* ought not in such a case to be considered an obstacle. Suppose the whole (of Louisiana) could be purchased for *Forty Millions* of dollars; or even New-Orleans alone could be procured for a *proportionate* sum, this last place is so essential that it would not require the least hesitation.”

Morn. Chron. Jan. 12, 1803.

This was very *modestly* hinting to Bonaparte to ask *forty* millions of dollars for Louisiana; and to demand a *proportionate* sum for the island of New-Orleans—so nicely had Mr. Irving made his calculations!

Trifling as this may, on a superficial view, appear, it was calculated to embarrass the negociator; for if, in the United States, the worth of Louisiana was estimated at *forty* millions of dollars, it could not be supposed extravagant for Bonaparte to demand for it that sum, especially when it is considered that this estimate was made in a paper under the *peculiar* patronage of the *Vice-President*, who, it might be presumed, was not ignorant of its value!

But all the arts of the friends of Mr. Burr and of the federal party were unavailing. On the 19th January, the remarks above quoted were made in the Morning Chronicle, and in the following April, much to the disappointment of the *united parties*, we were *officially* informed that the right of deposit at New-Orleans, was restored to the United States by order of his Catholic Majesty.

This event, confidently anticipated by the friends of the administration, was cheering to every advocate of peace. It con-

founded the opponents of the President, and in the most persuasive and eloquent strains demonstrated, in the language of our Assembly, the *wisdom* and *temperance* of his measures.

But amid the joys that beamed from every countenance, what was the conduct of the Morning Chronicle? No congratulations appeared in its pages. We saw it in all the sadness of disappointment. The official letter of the Spanish minister announcing the restoration was published in the *obscurest* part of that paper, unaccompanied with a single remark!

See Morning Chronicle, April 23, 1803.

This single fact speaks more than volumes the deep chagrin of Mr. Irving and his friends, at the prospect of peace.

I have been, perhaps, more particular on this interesting subject than pleasing; but I deemed it important to exhibit the conduct of Mr. Burr and his friends in this signal occurrence in the history of the United States.

In this month (April) the annual election of members for the Assembly of the state recurs. You will permit me to detail, briefly, the conjoint efforts of the friends of Mr. Burr and the federal party to defeat the election of the *republican* candidates.

For one year the conduct of Mr. Burr had been the subject of very copious discussion in pamphlets and in newspapers. This had awakened public attention; excited public sensibility; and although but little difference of opinion had been manifested on the merits of the case, yet it was expected by the friends of that gentleman that the approaching election would convince his opponents that they were more powerful than was supposed.

Their last hopes were placed upon the struggle, and therefore success was to them all-essential. The election was to be the criterion to both parties of the progress made by the one and of the declension sustained by the other party. For altho' there was reason to believe that, with but few exceptions, there was only one opinion with regard to Mr. Burr, yet so various are the motives and so difficult is it to ascertain the undisguised opinions of men, that the election was justly viewed by the friends of the Vice-President, those by whom he was opposed, and the federal party as the only sure guide.

The importance of the election in question becomes enhanced when it is considered that the city of New-York is the residence of the Vice President; that with various views it had been represented throughout the States, that his influence in it was irresistible; and that if it terminated against the Republican party it would have a most unfavourable effect on the Union at large.

In no shape could the exertions of the friends of Mr. Burr be crowned with success, but by defeating the election of the Republican candidates ; it therefore became necessary to *unite* with the federal party to produce this event.

On that subject, between the two parties there was no difference of opinion ; the federalists, imagining they saw in their anticipated triumph, the “first links of a chain that was to encircle the Union,”\* treated the adherents of Mr. Burr with unusual respect, conferred upon them offices where they had them to bestow, and accepted their services as good and faithful allies.

The offices alluded to are in the gift of the corporation of this city. With the nature of the charter you are well acquainted ; it is a remnant of a *royal* government ; it is therefore *federal*, and it is *federally* administered. The Common Council consist of *seven* Aldermen and as many assistants ; the federalists are *five* to *two*.

Distinguished offices were, in the first place, to be conferred upon the most *unyielding* friends of Mr. Burr as pledges of a sincere and cordial amity. The following is a minute of the transactions of the Common Council, before the election :

“The Board proceeded to ballot for a Street-commissioner. Upon counting the votes, *Doctor Joseph Browne* had six votes, *John Santford* three votes, and *John H. Sickles* one vote. Dr. Joseph Browne was thereupon appointed *Street-commissioner*.”

This was the first office bestowed upon the friends of Mr. Burr by the “Board ;” and although we cannot compliment their superior wisdom in *all things*, yet in this they exhibited acute discernment. *Doctor Joseph Browne* is related by marriage to Mr. Burr, who had already obtained for him the superintendency of the Manhattan water-works. It was not therefore unknown to the “Board” that the appointment would, in every respect, be a very acceptable one to the Vice-President, whose good graces Doctor Joseph Browne has uniformly courted with all the fervility of an Eastern slave. Mr. Browne’s salary is supposed to amount to fifteen hundred dollars per annum—a very pretty compliment paid him by the “Board,” and for which much zeal in favour of the federal ticket at the then coming election was due, and which you will bye and bye see was no little.†

## F

\* Vide General Hamilton’s harangue at the Federal Electioneering Meeting.

† The “Board” were pleased to appoint the editor of the *American Citizen* one of the printers of their laws. The contract was

You will perceive in the extract from the minutes of the "Board," that John Santford had *three* votes for the office of *Street-commissioner*. Mr. Santford is a distinguished partizan of the Vice-President. Mr. Sickles, also mentioned in the same minute, had only *one* vote. He is a *federalist*, and as the appointment was made to conciliate the affections of the friends of the Vice President to the federal party, Mr. Sickles, who was already one of them, could hardly expect to be gratified—it is sometimes necessary to make a small sacrifice to the general welfare!

Mr. (commonly called *Captain*) Santford who unites with a *sound* judgment all the charms of *rhetoric*, had been too *accommodating* to Mr. Burr to be neglected by the "Board." His son read law with the Vice-President, and he had himself been one of his never-failing *attendants*.\*

made for a year and the compensation was to be £30. When three months of that period, however, had elapsed, and *about the time*, when they conferred on Doctor Joseph Browne the office of *street commissioner*, the "Board" was pleased to *rescind* their resolution authorizing the printing of their laws in the *American Citizen*! I am not prepared to acquiesce in the doctrine that maintains that corporations are *sacred*; but this I may be allowed to declare that in that wanton *violation* of contract there was nothing either *holy* or *just*. That it was good *policy* I have no doubt; for there was an incompatibility between conferring offices on the partizans of Mr. Burr, and at the same time employing the editor of the *American Citizen* as printer of "the miserable scraps of the "Board!" The *policy* of the measure is also conspicuous in another point of view. The *rescinding* resolution contained a clause authorizing the printing of the ordinances of the "Board" in the *Morning Chronicle*; so that in every respect it was politic; in the latter it was exchanging a printer not altogether friendly to Mr. Burr, for one whom he had "set up in trade." It was a fresh pledge of their amity to those whose assistance they craved.

I do not, I assure you, blame the *patriotic* Board for passing the resolution; for as it is unusual with the federal party, whenever or wherever they have power, to appoint a *republican* to office, so had the appointing faculty of the state and general governments at command, few of them should be *troubled* with the toil and care of incumbents. In this, and in this only, would I follow their example; and I regret, and it will be well if the *republican* party will not have to lament, that it is not more adhered to. I have contrasted this "turning adrift," of a "jacobin" printer with the appointment of Dr. Browne with a view of exhibiting more plainly the motives of the *federal* members for doing both.

\* In June, 1802, Mr. Duane visited the city of New-York. While here, Mr. Van Nels, Mr. Swartwout, and Mr. Davis were

There was another reason in favour of Captain Santford; one that had no trivial weight with the "Board." He had been disappointed in his expectations of an office from the State government,† and few men have fortitude enough to smile at disappointments, especially those of so delicate a nature! Captain Santford had, in common with others, this human infirmity. When his wishes were not gratified by the Council of Appointment, he very naturally became soured, as most men would, and in proportion as the acid temper increased he united more closely with Mr. Burr, who in all such cases was exceedingly compassionate!

Thus then the "Board" had a fine opportunity of conferring, indeed, a very distinguished and acceptable favour on Captain Santford.

Nor were they wanting in duty. A splendid City-Hall was to be built. This created a very handsome office, and Captain Santford was carefully appointed to fill it.

The Hall will be to the city an useful and ornamental building. It will employ many labourers, especially *carmen*, of whom Captain Santford was appointed, by a federal committee of the "Board," superintendant. The salary is said to be fifteen hundred dollars per annum—a very snug office, one that will no doubt make the old gentleman quite comfortable.

There was a third office in the gift of the beneficent and sagacious "Board." This, as well as that of Captain Santford, was of no inconsiderable importance with regard to the views of the federal and Burr parties. A night watch was instituted in the sixth ward, and Mr. Charles Van Norden, *once* an influential inhabitant of that ward, and always a very convenient friend of the Vice-President, was appointed Captain. Mr. Van Norden had before held an office. Mr. Burr obtained for Mr. Swartwout the office of marshal, and Mr. Swartwout made Mr. Van Norden his deputy!

uncommonly anxious to invite him to breakfast. Davis at length succeeded and his house was the place appointed. It was not known, however, to the editor that the Swartwouts, &c. were to breakfast *with him*. Mr. Duane afterwards found it necessary to publish a statement of this famous *breakfast*, in which he wittily remarks that Van Ness, and Santford, and Swartwout, &c. *dropped in* by accident! Capt. Santford is the *good old man* alluded to in the publication.

† He sought the office of *commissioner of health*, but not being a professional man, the council of appointment were justly of opinion that they could not, consistently with their duty, gratify his expectations.

In the choice of these officers the "Board" displayed distinguished wisdom, particularly in respect to the two latter. The office of Street-commissioner conferred on Dr. Browne was doubtless agreeable to his relation Mr. Burr, but it is unaccompanied with that immense influence inseparable from the two others.

With few exceptions the carmen of New-York are *Republicans*. It was therefore essential to give to a partizan of Mr. Burr a commanding station over them. This, with great discernment, was confided to Captain Santford, who was vested with the power of employing whom he pleased!

The captaincy of the watch, *judiciously* given to Mr. Van Norden, although in some respects of inferior, was in others of much greater moment. The *sixth ward*, with but few exceptions, was supposed by his friends to be inviolably attached to Mr. Burr. This ward has always been pre-eminently distinguished for its zeal in the Republican cause, and has generally given majorities that have more than counterbalanced those of the federal districts of the city. It was essential therefore to preserve this important ward, as it was imagined, in the interest of Mr. Burr, and with this view Mr. Van Norden was appointed, by the federal Board, Captain of the Night Watch. The appointment was made in March, one month previous to the election.

Thus circumstanced the federal and Burr parties entertained the most sanguine expectations of success; they deemed it impossible that, with judicious management, they could fail. They joyed in the expected defeat of the Republicans, and they were not wanting in exertions to accomplish it.

A principal mean employed, a few days before the election commenced, was the daily publication in the Morning Chronicle of inflammatory appeals to the people on the subject of Mr. Burr. In these there was no manifestation even of a desire to examine the accusations alleged against the Vice-President. They were published to whet the resentment of his friends against his opponents, and to excite them to the utmost exertions in opposition to the *Republican* candidates. The object of the publications was to defeat our election, and a momentary increase of division in the Republican party was viewed as a sure means of effecting it.

Hence the artful and insidious publications commenced a little preceding, were continued even during the election. And in this nefarious scheme to "divide and conquer," Mr. Coleman, attentive to the part allotted him, acted in unison with Mr. Irving. The latter, in great warmth, declared every morning in

his paper, that the friends of the Vice-President had been most wantonly and shamefully traduced, and in plain terms insinuated that the time was approaching when it would not only be proper but necessary to exhibit their resentment! Mr. Coleman, cordially detesting even *indecorous* publications, and ever alive to the injuries of the innocent, sympathized with the cruelly abused friends of the Vice-President, commended the spirit and patriotism of Mr. Irving in reprobating with a just and virtuous indignation the "insolence of the Clintonians," and gave it candidly as his opinion that if fought, relief was at hand!

These artifices were well understood by the Republican party, and only tended to unite and invigorate them to oppose the palpable scheme.

But notwithstanding these strong symptoms of *union* between the two parties hostile to the Republican cause, the friends of Mr. Burr, perhaps to a man,\* were seen in the meeting called to nominate a senator to represent the Southern District in the Senate of the state. Assembled with a view to distract the Republican party, they opposed the nomination of John Broome, Esq. the Republican candidate, and nominated in opposition to him a man obnoxious to every intelligent and upright citizen. On a division, the friends of the Vice President, consisting of Mr. Swartwout, marshal, and his two brothers; Mr. Van Nefs; two of the Irvings, brothers to the editor; Mr. Davis, Mr. Timothy Green,† Mr. Verveeler, a *custom house officer*, Mr. Van Norden, *Captain of the Night Watch*, Captain Sanford, *Superintendent of Carmen*, and in short every partizan that could be mustered, appeared as one to fifteen. They were therefore defeated. Mr. Broome was nominated and afterwards elected.

Immediately after the division on the nomination of Mr. Broome, the adherents of Mr. Burr retired, privately, to the house of William P. Van Nefs, where consultation was had and it was agreed that a meeting of the *mechanics* of the city, without distinction as to *politics*, should be called to reject the nomination of Mr. Broome.

Accordingly an advertisement appeared in the daily prints calling a meeting of the Mechanics on "business which materially concerned their interest."

The views with which this meeting was called, were ex-

\* Every one in the city known to myself was at the meeting, with the exception only of Mr. Irving, the editor.

† Commonly called *Time Green*.

plained in the American Citizen, and the republican mechanics at large, fully sensible of the nature of the intrigue, convened to express their disapprobation of it.

In unison with the design of the friends of Mr. Burr, great numbers of *federal* mechanics assembled.

As the meeting held at the house of Mr. Van Nels was a *secret* one, so no *name* appeared to the advertisement convening the mechanics.

When assembled the first enquiry made was, who called the meeting? To this no answer was given. Indignation was seen in every republican face, and although Mr. Davis and Mr. Cornelius Crygier were, by the secret meeting held at Mr. Van Nels's, deputed to call, and did actually call it, yet they deemed it *prudent*, notwithstanding they were present when the enquiry was made, not to avow the act.

The citizens assembled were then informed that Mr. Cornelius Crygier left the advertisement at the office of the American Citizen. This he neither denied nor affirmed, but seemed much confused.

I shall not attempt to describe the feelings of the friends of Mr. Burr and the federalists assembled, when they beheld three or four hundred republican mechanics in the meeting, determined to negative whatever they should propose. Mathew and Cornelius will never forget the sweating they experienced.

At length a chairman was appointed, and the nomination of Mr. Broome opposed by the friends of Mr. Burr. The opposition however was of no avail; the nomination was confirmed by at least 30 to 1.

Although this meeting was a death-blow to their hopes, yet the adherents of Mr. Burr relaxed not their efforts to defeat our election.

Failing in the first instance to distract the republicans by endeavouring to negative the nomination of Mr. Broome, most of the partizans of Mr. Burr abstained from attending the subsequent meeting convened to select persons to represent the city of New-York in the Assembly of the state. Those present, finding that opposition would be unavailing, remained silent. The nomination for the Assembly, consisting of the names of gentlemen warmly *opposed* to Mr. Burr, was confirmed without a dissenting voice.

To aid the election of the federal party recourse was now had to other means.

On Saturday April 23d, three days only before the election began, when walking up Pine-street,\* I saw Mr. William P.

\* Where the offices of the Morning Chronicle and Evening Post then were.



Van Nefs, a little before me, coming out of the office of the morning Chronicle. He went up the street, and, but a few yards behind him, and on the same side, I continued my walk the same way. When he came to the *office of the Evening Post*, he walked in, and just as I passed the door I heard him enquire for "Mr. Coleman," who he was told was in the *back-room*. This was a little after 12 o'clock. The Evening Post, issued about 3 hours after on the *same day*, contained the following paragraph:

"The Citizen began the campaign by making war, barbarous bloody war, on the *Little Band*. Nothing seemed to delight him so much as to reflect on the tortures which he, in imagination, was daily inflicting; but all at once he draws in his fangs and lies as quiet as an adder coiled up in winter. *And hereby hangs a tale of some moment*, which we shall have it in our power to lay before our readers in our next."

Evening Post, April 23, 1803.

The reader will judge for himself whether Mr. Van Nefs was the person who was to enable Mr. Coleman to "*lay before his readers in his next paper the tale of some moment*;" but that he communicated to him the information on which the above paragraph quoted from the Post is predicated, I have no doubt. Nor will it be readily denied that the plan was perfected, if it did not originate, in the office of the Morning Chronicle, and that Mr. Van Nefs left this office to communicate to Mr. Coleman that plan.

Such then being the evidence of *concert* between the morning Chronicle and the Evening Post, let us attend to this "*tale of some moment*." It is as follows.

"The Editor of the Evening Post is requested by one who stands ready to support the facts, to give place to the following narration.

"On Wednesday the 13th inst. as Mr. William Dustan was passing through Frankfort-street he was accosted by John P. Anthony; who after some conversation declared that he was now ready to prove that Col. Burr was guilty of the charges which had been brought against him in the Citizen of having intrigued for the Presidency, and that he could do it by means of a letter from *Edward Livingston*, Esq. to Mr. Cheetham; which said letter, clearly establishing that fact, was then in possession of said Cheetham.—Mr. Dustan expressed a wish to see the letter and went down for that purpose to Cheetham, who promised to shew it to him on the next evening at the meeting of the General Committee at Martling's.—Mr. Dustan went there the next evening accordingly, but some difficulties

were started and after much ceremony, messrs. *Anthony, Cheetham* and *Dustan* were closeted together. Here Cheetham pulled a letter out of his pocket which he stated to them was the copy of the letter written by Mr. *E. Livingston*; Mr. *Dustan* very justly observed that he did not come to see the *copy* of a letter, but the *original*.—Cheetham then remarked that it was a true copy, and read over a certificate annexed hereto, purporting that it was so, which certificate was signed with the initials R. R.—P. A.—and A. C. V. S.—Mr. *Dustan* then enquired who the initials meant, when Cheetham declared the 1st meant *Richard Riker*—the 2d Dr. *P. Anderson*, and the third Mr. *Van Slyck*.

“The next day Mr. *Dustan* met Mr. *Riker* and asked him if he ever had seen a letter from *Edward Livingston* to Mr. Cheetham or signed a certificate that he had? Mr. *Riker* declared upon his honor that he had not, nor had he ever seen it. Mr. *Dustan* then explained his reasons for asking those questions, on which Mr. *Riker* said he had inadvertently committed himself to Mr. *Dustan*, for which he was very sorry, but begged that he would not divulge the business, or words to that effect.”\*

\* With regard to myself the facts stated in the text, are not *materially* incorrect. Mr. *Anthony* called on me and remarked that he had understood I had the certificate mentioned; I told him I had. He said that being satisfied himself in respect to Mr. *Burr*, he had no curiosity to see it; but he had a friend who affected to have conscientious doubts, and he was sure from what he had heard of the contents of the certificate, that a sight of it would convince him. He then asked whether he might be permitted to read it? Although the certificate was given to me for publication, and of course, free from injunctions of secrecy, yet out of delicacy to the gentleman who gave it, I hesitated before I answered yes.

The following morning Mr. *Anthony*, accompanied by Mr. *Dustan*, called at my office and observed that Mr. *Dustan* was the person who wished to see the certificate. Persuaded that Mr. *Dustan* was a person more distinguished for stubbornness than reflection, and knowing that he had made use of very illiberal and vulgar remarks respecting those who from the best motives and possessed of the most satisfactory evidence had opposed Mr. *Burr*, I told Mr. *Anthony* that I had no desire to exchange a single word with Mr. *Dustan*. However, to oblige Mr. *Anthony* I remarked that I would see them both that evening at Mr. *Martling*'s where the Committee of Nomination met, and would there, alone, shew Mr. *Dustan* the certificate I had.

I accordingly met them, and we retired into a room by ourselves. I produced the certificate, mentioning at the same time to Mr. *Dustan* that it was not the *original* received from *Edward Livingston, Esq.* but a transcript of it. Mr. *Dustan*, with apparent pleasure remarked, that he wanted to see the *original*, not the copy. To this it was replied that in fact it was the same as the original, since it had been collated with it by three gentlemen of distinguished reputation, and certified by them to be correct. He asked who they were? He was answered, Mr. *Riker*, the

This extract, which appeared in the Evening Post the day preceding the commencement of the election, was published *annually*; but on the second day of the election there was inserted in the same paper an affidavit signed *William Dufant*, containing the principal facts set forth in the extract.

This affidavit, written, as I am informed *Dufant* has since

assistant Attorney General, Mr. Lawrence, a Justice of one of our Courts, and Doctor Peter Anderson. He acknowledged that these were gentlemen of unimpeached veracity, but still he wanted to see the *original*; he would not look at the copy! Mr. Anthony smiled, but Mr. Dufant persevered in refusing to see the certificate; he was determined not to be convinced, and he retired, pleased with nestling his errors!

With regard to Mr. Riker, I am confident, I am authorized to state; that the remarks of Dufant are, in every material item, *unfounded*. It is hardly within the compass of possibility for an honorable man, one of strict integrity, to have acted the part ascribed to Mr. Riker; and those who know this gentleman will place but little if any faith even in the affidavit of Dufant.

Dufant says he "met Mr. Riker and asked him if he had ever seen a letter from Mr. Livingston to Mr. Cheetham, *then in his possession*,"\* or signed a certificate that he had? To which Mr. Riker declared, upon his honor, that he had not, nor had he ever seen it. It is added, that Mr. Riker remarked that he had inadvertently committed himself, but begged that Dufant would not divulge the business, *or words to that effect*."

The facts are simply these: Dufant met Mr. Riker in the City Hall, and asked him "Have you seen a letter which the editor of the Citizen *has in his possession* from the Mayor, respecting the Vice-President, and which it is said proves him guilty of negotiating with a gentleman of the federal party?" To which Mr. Riker very properly answered, "No." Mr. Riker knew that the original *certificate*, to an accurate transcript of which he had affixed the initials of his name, was *returned many weeks before* to Mr. Livingston. To the question, therefore, "Have you seen a letter which Mr. Cheetham *has in his possession*," &c. Mr. Riker could not but answer no. For he knew not that I had *at that time* a letter in my possession, and in fact I had not, nor had I ever the letter: it was merely a *certificate*, and that certificate not then *in my possession*.

Mr. Riker made not a single remark about *committing himself*; he had been guilty of no impropriety; no error. But he stated that he had seen a *certificate* from the Mayor addressed to Mr. Cheetham; that to a copy of it he had affixed the initials of his name, but that the *original* had been long since returned. Mr. Riker added that he had no objection to mention its contents to Mr. Dufant as well as he could from memory, but he did not wish it repeated, as it might, during the election, increase the division which the federal party seemed disposed to foment. From these facts, Dufant, Mr. Van Nels, and Mr. Coleman made out the text.

† Dufant is a very illiterate man, and in all probability was made a fool of in this shameful transaction.

\* See Dufant's affidavit.

declared, by Mr. Van Ness, was published in the Evening Post accompanied with editorial remarks of the most acrimonious and libellous nature. The friends of Mr. Burr were told that I had been guilty of *forgery* for the purpose of deceiving them, and they were called upon to resent, in a *becoming* manner, so atrocious an act!

It was not enough to circulate this silly story in *all* the *federal* prints in the city. Hand-bills of it were issued from the presses of the *Evening Post*, and disseminated at the *Polls*!

To corroborate this accusation of *forgery*, with seeming seriousness preferred in the Evening Post, and excite the wished-for opposition to the election of the Republican candidates, Mr. Irving published, during the election, the following certificate:

“ *New-York, July 27,\* 1802.*

“ SIR,

“ In consequence of certain insinuations lately circulated, I think it proper to declare, that *you* did not, in any verbal or written communication to me, *during* the late presidential election, express any sentiment inconsistent with those contained in your letter to General Smith, which was published, or evincing any desire that the vote of the state should be transferred from Mr. Jefferson to yourself.

“ I am, very respectfully,

“ Your most obedient servant,

“ EDWARD LIVINGSTON.

“ The Vice-President of the U. S.”

That this certificate was published with the view stated is abundantly confirmed by the paragraph below, which appeared in the Morning Chronicle, April 25. the day before the election.

“ The Editor of a paper in this city† has *publicly*‡ asserted in the upper wards that he has in his possession a letter (I think from the Vice-President to a distinguished officer in this city) which proves conclusively the charges against the Vice-President. I believe it to be a *villainous falsehood or forgery*, calculated for some base purpose, and call upon him to publish the letter or letters.”

It was fully expected by Mr. Irving and Mr. Coleman that the publication of *Duylan's* affidavit, and the certificate of Mr. Edward Livingston, which I shall presently notice, would complete their wishes. It was hoped and believed that two presses,

\* A little after the publication of the “ Narrative,” and when the author was engaged in composing the “ View of Mr. Burr’s political conduct.”

† Meaning myself.

‡ This is not true

thus acting in concert and bearing on the same delicate point, would produce, at that critical time, a momentary effect of the most felicitous kind. The *mild* accusation of *forgery* brought forward in the Evening Post, was intended to represent the opponents of Mr. Burr as acting a most base and insidious part to effect the destruction of an innocent and exalted character; and the *opportune* publication of Mr. Edward Livingston's certificate in the Morning Chronicle was done with a view to evince, first, that the one denominated by Mr. Coleman a *forgery*, was really so, and this on the presumption that that gentleman could not have given two certificates repugnant to each other; and secondly, that Mr. Livingston's certificate effectually exculpated the Vice President from the *sinister* and *odious* charges publicly preferred against him.

From the establishment of these two points (and it was thought the publications mentioned were sufficient to establish them) it would follow that Mr. Burr was a most innocent and injured character, and his opponents most atrocious scoundrels; and that it was the duty of the electors to turn instantly about and avenge themselves by opposing the Republican ticket!

In the hope of producing this event, the certificate, like Duffan's affidavit, was immediately struck off in hand-bills and circulated at the *polls*.

The *certificate* was published on the last day of the election, when it was supposed by the *Republicans* and their opponents that the adverse votes given in were nearly equal. It was not therefore without cause seemingly flattering that it was concluded that the publication of the certificate on *that day* would have a *charming* effect.

This course was, in all probability, determined the *preceding* evening, when a private meeting was held at the house of Captain Santford, *Superintendent of Carmen*, at which were present, Peter Irving, *the Editor*, John Swartwout, *Marshal*, Melancton Smith, *Auctioneer*, Alderman Barker; Cornelius Crygier, *Paper Maker to the Morning Chronicle*, Charles Van Norden, *captain of the Night Watch*, Mathew L. Davis, *Mr. Burr's bosom friend*, Dr. Joseph Browne, *Street-commissioner*, and a relation and companion of Mr. Burr; and several of *minor consequence*!

We next view these gentlemen in the important act of *voting*. In what follows on this subject there is no mistake; no error.

Dr. Joseph Browne, who always affected to be a *republican*, and on whom the "Board" conferred the office of "*Street-commissioner*," voted for the *federal ticket*, and was *indefatigable*

in its support. There are many Republicans to whom he offered that ticket but who rejected it with disdain. No partizan was ever more zealous in the support of his cause.

Captain Sanford, on whom the beneficent and patriotic "Board" conferred the office of *Superintendent of Carmén*, also voted for the federal ticket; but with the purest of motives, for he said it would be the best thing in the world for the *Republicans* to lose the election. "Good old man!"

Ezekiel Robins, whom Mr. Burr's friends nominated for the state senate in opposition to John Broome, Esq. voted for the federal ticket.

I am not sure that John Swartwout, *marshal*, voted, but he certainly laid wagers, against the success of the Republican ticket; and if his opinion, on which he chose to hazard bets, be a true exposition of his wishes, there can be but little doubt respecting them.

Cornelius Crygier, who in conjunction with Mathew L. Davis, convened the Mechanics, without distinction as to *politics*, to reject the nomination of Mr. Broome, used all his influence, and spared no exertions to defeat the success of the *Republican* candidates. He prevailed upon his uncle, a very respectable gentleman of upwards of 70 years of age, but a youth in Republican zeal, not to vote. The venerable old man hesitated much, but after a long conversation Cornelius persuaded him to return home without voting. This scene was acted on the election-ground, where Mr. Cornelius was stationed to dissuade persons from voting for the *Republican* ticket.

Melancton Smith attended the polls, where he industriously circulated reports calculated to dishearten the Republicans and abate their zeal.

Alderman Barker, and a Clerk in Chancery of the name of Smith, pursued the same artful course.

I do not know whether Mr. Irving, the Editor, voted or not. Commanding an important Post, he directed hostile attacks from it, and this duty was sufficient for one man to attend to!

William S. Smith, *Surveyor of the Customs*, a particular friend of the Vice-President, and son-in-law to Mr. John Adams, acted in unison with the rest of Mr. Burr's friends. He was constantly with the most active and ardent federalists during the election.

Henry Verveeler, a *custom-house officer*, was exceeded by none of the friends of the Vice-President in his exertions to defeat our success. But the good sense and patriotism of the citizens of the sixth ward rose superior to his influence, and the mischief he committed was not equal to his wishes.

Charles Van Norden, *captain of the night-watch*, was not unmindful of the bounties of the "Board." His opposition to our efforts at the electioneering meetings, was ardent, and at the polls he was both diligent and active.

Doctor Hicks\* was not lacking in zeal to promote the election of the federal party. He struck off from the ticket of their opponents several names, and substituted in their stead those of federal candidates ; placing at the head of the list a few of the former, to deceive citizens who *had* known him zealous in the republican cause.

Doctor James Smith,† another partizan of Mr. Burr, was one of the most noisy opposers of the republican party. In his youthful days he had some pretensions to eloquence; but he is now in his *seventh-age*. Doctor Smith was once warmly opposed to Mr. Burr ; but he is a disappointed person. He solicited from the appointing power of the State the office of *Resident Physician*; but his expectations were not realized, and disappointment caused him to seek shelter under the wings of the Vice-President. The federal party, availing themselves of the natural weakness of old age, excited him to harangue the citizens at the polls in opposition to the republican ticket. There was in this something exceedingly ungenerous. His infirmities entitle him, at least, to exemption from this indecorous conduct.

Mathew L. Davis was, as usual, active. He ran about from poll to poll, ridiculing the republican, and laying wagers that the federal party would succeed.

I have one more to add to the list of active electioneers in favour of the federal party ; I mean Samuel Winship, a *butcher*, of uncommonly rude deportment, who resides in the seventh ward. The other persons named were all well-known partizans of Mr. Burr, and our citizens were therefore prepared to guard against their machinations. They had been frequently mentioned in the American Citizen as composing the greater part of Mr. Burr's active friends ; and although the publications adverted to have, by some, been deemed *indecorous* on the plea of *personality*, yet experience has proved that they have had a beneficial effect. They were distinguished, and on this account they were less able to do mischief.

\* The lowest of empirics.

† A brother of the late William Smith, who, in consequence of his fidelity to the KING during the Revolution, was appointed Chief Justice of Canada.

But from the extreme obscurity of his character, and his consequent inefficacy, as it was thought, as an opponent, Samuel Winship had not been publicly announced as a friend of the Vice-President. It was known that, immediately after the Presidential election, Mr. Burr had obtained for Mr Daniel Ludlow,\* from the then secretary of the navy, the appointment of navy agent; and the same influence that procured this appointment prevailed on the navy agent to purchase BEEF, &c. of Samuel Winship. Hence the attachment of the latter, to the Vice-President!

It is a maxim with the politician as well as with the miser that "interest begets interest;" and to this rule the wily Mr. Burr was never unmindful. Winship had for many years been a distinguished electioneerer in the seventh ward, in the republican interest; and this ward contains more votes on that side than any other in the city. The name of Winship was familiar to every elector, and many of the republican voters had been in the habit of receiving tickets from him without the least suspicion of deceptive practices. A *butcher* so well known, and of so much *fancied* importance to the party, might well have interest enough with Mr. Burr to procure him the office of *beef-seller* to the navy agent!

Unknown then, generally, to the republicans of the seventh ward as the warm friend of the Vice-President, Winship had a fine opportunity, during the election, of injuring the republican interest.

Neither the federal nor Burr party was ignorant of this advantage. He was accordingly courted with great assiduity by both.

On the eve of the election he was frequently in the company of Mr. Coleman, but oftener in that of the other advocates of the Vice-President.

After the opposite nominations were published, Winship laid many wagers on the success of the *federal* ticket. In these there was no credit given; he had cash at command, and he would therefore trust no one.

With a friend of mine he laid a wager of fifty dollars that the *federal* ticket would succeed, and the money was accordingly staked. Winship offered to bet fifty more. The wager was accepted, but my friend had not a second fifty in his pocket; and although he was known to Winship as a gentleman of

\* Mr. Jefferson has often been blamed in the federal prints for this appointment. Those who have thus causelessly censured the President, know, or ought to know, that navy agents are appointed, *not* by the executive but by the secretary of the navy.



independent fortune and unfulfilled reputation, yet so much money had he *for the moment* that he would neither give nor take credit.

The election commenced, and Winship for one or two days before his insidious conduct was discovered, handed to *republicans*, who suspected him not, *federal* for *republican* tickets, and they were accordingly voted.

Several Republican farmers came down from Haerlem to vote, and knowing Winship, but not suspecting him of conduct so treacherous, received from him *federal* tickets and deposited them in the Ballot-box, under an impression that they contained the names of the republican candidates.

We nevertheless gained, by a majority of SIX HUNDRED VOTES, the election which terminated on Friday. The following day my friend waited on Winship at his stall in the market for the fifty dollars he had won, when, mortified at our success, in the presence and hearing of several neighbouring butchers and others, he swore that he did not care, for that "*Mr. Coleman had put the money in his hands to bet*" !!

This fact, bluntly and openly "proclaimed in the marketplace" by this vicious and ignorant man, beggars all comment. It shews completely the *union* between the two parties, and the insidious efforts employed to defeat the election of the republican candidates.

Where did the money come from? Whence was it obtained? Where is the *editor* competent of *himself* to put into the hands of *such* a man, and for *such* a purpose, hundreds of dollars? Without infringing the laws of decorum I may, on this very extraordinary occasion, be allowed to say, that, however competent Mr. Coleman may be to meet his engagements, like other editors, he has nothing to sport in this singular manner. It is beyond a doubt that if the money, placed in the hands of Winship, was not *exclusively* raised by a few leading federal characters, it was conjointly by them and the friends of the Vice-President—with what view it is too palpable to require a single remark. I return to the certificate of Mr. Edward Livingston.

This certificate destined, in the opinion of the deluded and infatuated partizans of Mr. Burr, to acquit him of a most unpardonable offence, is dated "July 27, 1802." Mr. Burr, *personally* applied for it, and, under circumstances of a very delicate nature, and of which I am not ignorant, it was accordingly given.

Being given to Mr. Burr it must have remained in his possession until he thought proper to impart it to a friend for a *particular purpose*. Mr. Irving published it in the Morning Chronicle on the 27th of April, 1803, near one year after its date, and he at the same time informed us that "*the original was in his possession*."

You see, sir, that the period of its publication was that of our election, and that then between the federal party and the partisans of the Vice-President a most subtle and extensive scheme had been devised and adopted to defeat our success. Why was this critical moment embraced for its publication in preference to the countless opportunities that had preceded it? Why, at the very moment when questions involving our dearest interests were to be decided by the rational and tranquil operation of voting, was it ushered into the world? Does the obvious query stand in need of a reply? The time was propitious to a momentary shock, and if the tremulous concussion terminated in favour of the Vice-President, that is, in the victory of the federal party, much would be gained. For that victory (let it never be forgotten) was to "form the first links of a chain that was to encircle the union." It was therefore necessary to assail the passions, which when once excited, are known to be capable of incalculable vibrations. All things then being in readiness, Mr. Burr placed in the hands of Mr. Irving the certificate for publication, and the time was thought to be most wisely chosen.

There is no possibility of a retreat from this imputation. Let it be supposed for a moment that the certificate was published with the laudable view of exculpating Mr. Burr from charges of a very serious nature? Was the period judiciously chosen? Was there, *during* the election, sufficient time to collate it with the other numerous circumstances appertaining to the transaction to which it alludes, and to decide on all? Certainly not. If a just, candid, and honorable acquittal had been the sole object of its publication would it have been nearly one year concealed from the public eye? It was laid before the public at that critical moment to distract the republican party, relax their efforts, mitigate their zeal, and thus prepare the way for the success of their opponents.

With regard to the important question—when shall the certificate be published? the Vice-President must have been consulted by his editor, Mr. Irving. A matter of so much moment, as it was imagined, would hardly be confided to the sole discretion of *inexperienced politicians*. The publication may, then, with great propriety, be said to be the act of the Vice-President.

And what does the certificate import? That “ *during* the late presidential election Mr. Burr did not express to Mr. Livingston any sentiment inconsistent with those contained in his letter to General Samuel Smith.”\*

In a transaction of this nature freedom of discussion is so estimable, so essential that to shrink from it would be an offence of the most unpardonable kind.

The correspondence of Messrs. Irving and Ogden furnishes a memorable instance of disingenuous and delusive phraseology. The terms of it were so *artful* as to have a very deceptive effect until a proper explanation of them was given.

It may therefore be necessary to notice, briefly, the phraseology of Mr. Livingston’s certificate given to the Vice-President in July, 1802.

And here the words “ *during* the late presidential election” cannot fail of attracting attention. What portion of time does the term “ *during*” embrace? If it be intended to comprehend only the *period of the struggle in the House of Representatives*, then, although admitted to be strictly true, Mr. Burr may, nevertheless, *previous to that period*, “ have evinced a desire to have the vote of the state transferred from Mr. Jefferson to himself;” so that under cover of this phrase there is great latitude for a display of ambiguity, and great room for at least a safe retreat.

Let it be conceded, however, that by the use of this term of limitation Mr. Livingston meant to embrace the entire period from the meeting of the electors to the ultimate choice of Mr. Jefferson by the House of Representatives; it then remains to notice, according to this liberal construction, the import of the certificate.

Mr. Livingston says “ Mr. Burr did not, in any verbal or written communication to him, *during* the late presidential election, express any sentiment inconsistent with those contained in his letter to General Smith.”

What then were *those sentiments*?

“ It is highly improbable,” says Mr. Burr, “ that I shall have an *equal* number of votes with Mr. Jefferson;† but if such should be the result, every man who knows me ought to know, that I would utterly disclaim all competition.”‡

H

\* See Mr. Livingston’s certificate, page 50.

† He knew, as far as it was possible to know when he penned these words, that he had an *equal* number of votes with Mr. Jefferson. See the “ *View*” from p. 51, to p. 57.

‡ For Mr. Burr’s letter to General Smith, see the “ *View*,” p. 51—2.

If Mr. Burr *never* expressed to Mr. Livingston sentiments inconsistent with those contained in the letter to General Smith "disclaiming all competition," it will be allowed that *as far as the latter is concerned*, the former undoubtedly stands acquitted. The reader, however, will do well to guard against incautiously extending this qualified concession to Mr. Burr's conduct *generally*.

But was it necessary for Mr. Burr, in an affair so delicate and momentous, to *express* to Mr. Livingston a *wish*, either verbal or written, that he would *relinquish* Mr. Jefferson and vote for himself as President? With regard to all the points for which we have contended, and do now contend, this *frank* and *unequivocal* mode of conduct was certainly as unnecessary as it would have been incongenial with the nature of the transaction. Without *requesting* or *expressing a direct wish*, Mr. Burr might have entertained the opinion, no matter however ill-founded, that Mr. Livingston was disposed to "vote for him in preference to Mr. Jefferson; and have flattered himself so highly with this imagined disposition as to have ventured to *refer* Mr. Ogden to him in respect to the terms and feasibility of the negotiation. And all this might very well have happened without Mr. Burr expressing a wish to Mr. Livingston that he should transfer the vote of the state from Mr. Jefferson to himself, or authorizing him to receive Mr. Ogden, when referred by Mr. Burr to complete the terms on which the federal members of Congress proposed to elect him President.

This opinion is warranted by the following *certificate* of Mr. Livingston, given to me a few days after the publication of my *ninth* letter on the subject of the negotiation. It is the one to which allusion has already been made. It is now reluctantly published with the sole view of bringing home to Mr. Burr the accusations already preferred against him.

"Finding myself generally designated as the person alluded to in General Hamilton's letter\* published by you on the 22d instant, I think myself called on to declare that I never *authorized* the Vice-President to *refer* any one to me for an explanation of his views or wishes with respect to the Presidential election; that he never *empowered* or *requested* me to receive, make, or answer any propositions on that subject.

"And tho a gentleman† of the FEDERAL party did call on

\* Mr. Livingston entertains not a doubt that General Hamilton wrote the letter contained in my ninth, in which he details the terms of the negotiation as *derived* from Mr. Ogden himself.

† Mr. OGDEN.

me, I explicitly told him that I had received no authority from Col. Burr, and on his entering into conversation with me *relative to the conduct that would be pursued by the New-York delegation*,† I as explicitly informed him I believed it was the intention of a majority to vote for Mr. Jefferson, and that such was my determination.”‡

#### “EDWARD LIVINGSTON.”

It is not my intention to descant at large on the terms of this certificate, which the reader will perceive is cautiously worded. Yet it may not be amiss to remark, that although it is not expressly stated, still it is evident that Mr. Burr referred the “*gentleman of the federal party*” to Mr. Livingston for further explanation. The certificate furnishes two conclusive reasons in support of this opinion, and none which in the least makes against it.

First. In the introductory paragraph Mr. Livingston says that “he never *authorized* the Vice-President to *refer* any one to him for an explanation of his views or wishes with respect to the Presidential election.” Now, why remark that he never *authorized* the Vice-President to *refer* any one to him for an explanation of his views or wishes with respect to the Presidential election, unless Mr. Ogden, or the *gentleman of the federal party*, stated that he was so referred by Mr. Burr?

Secondly. Mr. Livingston, in the second and last paragraph observes, “And though a *gentleman of the federal party* did call on me, I explicitly told him that I had received no authority from Col. Burr.” Again it was unnecessary to mention Col. Burr’s name, unless Mr. Ogden had remarked that, according to the request of *federal* members of Congress, he had called on Mr. Burr, who after entering with him into a general conversation on the proposed terms, had referred him to Mr. Livingston for further explanation?

With regard to the question—Is Mr. Ogden the “*gentleman of the federal party*” who called on Mr. Livingston?—there can be no doubt. Mr. Ogden has himself acknowledged that he waited upon Mr. Burr; and if he is *not* the “*gentleman*” alluded to in the certificate, it is obvious that *two* ambassadors must have been appointed by “leading federal members of Con-

† According to General Hamilton’s letter, which he says is predicated on the information *derived* from Mr. Ogden, New York and New-Jersey were, agreeably to the terms of the negotiation, to relinquish Mr. Jefferson after the *first* ballot in the House!

‡ The words in *Italics* are not so in the original; I have underscored them myself.

gress," to negotiate with him. I however assert, fearless of contradiction, and upon authority which it is not necessary at present to name, that Mr. Ogden is the gentleman of the federal party alluded to in the certificate.

Now, although Mr. Livingston might have told Mr. Ogden, (what would have been exceedingly proper) that he was "determined to vote for Mr. Jefferson," yet his certificate abundantly proves, as we have all along contended, that Mr. Burr *referred* Mr. Ogden to him for "further explanation;" and if Mr. Burr had not *encouraged* the negotiator; had he not entered *fully* into his views, why was the reference made? The thing is too plain to require another remark. I will not detain you with comments on a subject which interpretation can only obscure.

It may then be asked—Why did Mr. Livingston, under all these circumstances, give Mr. Burr the certificate dated July 1802? This is for that gentleman, not me, to explain. This is certain, that when the terms in which it is couched are duly canvassed, it will appear, that it does not essentially clash with the one given to me. That to Mr. Burr simply states that he did not, in any verbal or written communication to Mr. Livingston, "*during the Presidential election, express any sentiment inconsistent with those contained in the Vice-President's letter to General Smith;*" which is only saying that Mr. Burr did not *express* a *wish* that Mr. Livingston should vote for himself in preference to Mr. Jefferson.

All this, it will be perceived, may be strictly true and still not interfere in the least with the certificate given by Mr. Livingston to me; for in this it is not stated that Mr. Burr "*expressed* any sentiment inconsistent with those contained in his letter to General Smith;" it is only remarked, in terms that cannot be misunderstood, that although such a sentiment was not *expressed* by Mr. Burr, yet he had the presumption to *refer*, and did actually *refer*, Mr. Ogden to Mr. Livingston for an "*explanation of his views and wishes with respect to the presidential election.*" Why he did so remains to be explained either by Mr. Livingston or Mr. Burr. The important fact that the *reference* was made by Mr. Burr, and that Mr. Ogden accordingly waited upon Mr. Livingston, are, I think, amply admitted in his *certificate* given to me.

Thus, sir, you will perceive that the certificate given by Mr. Livingston to Mr. Burr is a mere trivial negative thing; and I assure you that had it not been that the Vice-President and his friends have very imprudently made use of it to deceive the

public with regard to a dangerous and alarming transaction, that which Mr. Livingston was pleased to impart to me would, in all probability, have remained forever in my desk. More imprudencies of a like nature may render necessary a further exposition of facts; for you may rely upon it that all is not yet known.

The promulgation of Mr. Livingston's certificate\*—the artifices of Mr. Coleman—the machinations of Mr. Van Ness—the subtlety of Mr. Swartwout—the publications of disunion in the Morning Chronicle—the money lavished by the federal party—the *judicious* aid of the "Board" manifested in the appointments mentioned—the private meetings of the friends of the Vice-President, and the votes given by them in favour of the *federal* ticket, were unavailing. We surmounted every obstacle—we triumphed over every foe. We gained the election in despite of the arts and efforts of the combined parties.

Having completed the design of this letter I might here close my remarks; but as Mr. Irving has entered into and finished a formal vindication of Mr. Burr, I shall conclude with noticing his exculpatory observations.

The vindication of Mr. Burr by Mr. Irving, may, in some respects, be justly viewed as the vindication of Mr. Burr by himself. This remark, however, will be accepted in the sense intended to be conveyed. I am not of opinion that the Vice-President actually and literally wrote the defence which has appeared in the Morning Chronicle, for although I cannot compliment his sagacity as a statesman, his integrity as a citizen, or his abilities as a *writer*, yet, perhaps, it would be unjust to ascribe to him a production without arrangement, without perspicuity, without argument, without wit—without any of the properties of composition calculated to attract attention, enforce justice, or veil *fraud*.

Mr. Burr was in this city previous to and during the publication of his defence in the Morning Chronicle. It is well known that Mr. Irving and himself are, directly or indirectly, in daily habits of correspondence. Mr. Burr cannot be an unconcerned spectator of what has passed and is still passing with regard to himself, and his solicitude on a subject in which he is deeply involved would naturally lead him into conversations with Mr. Irving concerning the defence he was about to write. In these the weaker points of the attack were no doubt noted and every advantage suggested that desperation could invent.

\* That given to Mr. Burr in July, 1802.

Whatever therefore of denial or admission, of extenuation or elusion of facts the vindication contains, may, with great propriety, be said to be those of the Vice-President.

The defence embraces several points, in my remarks on which I shall be brief. It notices the view,

1st. With regard to Mr. Burr's political conduct *generally*.

With regard to Mr. Bishop of Connecticut.

With regard to Mr. Green.

With regard to Mr. Swartwout.

With regard to Doctor Smith of Princeton College.

With regard to Mr. Tapping Reeve.

It glances at the negociation.

It does *not* notice,

1st. The letter of Mr. Van Nefs to Mr. Edward Livingston, in which he urged this gentleman to relinquish Mr. Jefferson after the *first* ballot in the House of Representatives and vote for Mr. Burr.

2dly. The important letter of William S. Pennington, Esq. of New-Jersey.

In respect to the first, it is alleged that it was ungenerous, in the first instance, to endeavour to prejudice the public against Mr. Burr, by a rigorous investigation of his political conduct previous to the negociation of which he is accused. A single remark might suffice in reply to this allegation. If Mr. Burr's character was unfilled by a train of improper conduct, he might triumphantly challenge the most rigid examination of it. From a candid and impartial investigation he would have nothing to fear; from a perverse one, every thing to hope. The former would give extension to a solid and well-earned reputation; and as misrepresentation, in such a case, is, from its very nature, always susceptible of detection, he would derive from it the most durable advantages. Mr. Burr then cannot complain of an *investigation*, but of a *misrepresentation* of his character. Has it been misrepresented? No arguments, no facts, either of a positive or presumptive nature, have been adduced by his vindicator to shew that it has. It is therefore unnecessary to extend our remarks on this branch of the subject.

But Mr. Burr was accused of a most unpardonable intrigue with a direct view to aggrandize himself at the hazard of the liberty of his country. To evince, in the first place, that the imputed act was not *out of character*, it was both just and necessary to shew, by a full examination of his political career, that he had uniformly pursued, with undeviating steps, a course that rendered the accusation not at all improbable. The principal



allegation too, was so intimately connected with his anterior conduct, that in viewing the one it became indispensable to notice the other. What was the nature of that allegation? *Craft* of the most sublimated kind. What his previous conduct? A tiffue pertaining of the same subtle and dangerous essence. Was it then wanton, was it ungenerous, was it unbecoming to examine the "parts of one great whole"? Beside, the investigation was courted, was challenged by his friends; and however, therefore, they may censure their imprudence and temerity, they cannot, in the sincerity of an honest heart, but commend the course pursued.

It is nevertheless asserted in the vindication, and only asserted, that the "View" contains remarks which are a departure from truth. With regard to Mr. Bishop, it is contended that the facts stated in that work are incorrect, and this incorrectness is noticed as favouring the presumption of Mr. Burr's innocence in respect to the *negociation*. Whether true or false they are *immaterially* connected with the interview which took place between Mr. Ogden, the accredited agent of leading federal members of Congress, and Mr. Burr; the cordiality with which the Vice-President received the overtures of Mr. Ogden, and his referring the negociator to Mr. Livingston as his *confidential* friend for an explanation of his views and wishes with respect to the Presidency. On this subject Mr. Irving has betrayed a great want of candor. In his vindication he simply remarks that the observations contained in the "View concerning Mr. Bishop," and reiterated in the subsequent letters, have been *contradicted* by him, without distinctly noting the nature of the contradiction. It becomes my duty, therefore, to state with accuracy the facts pro and con.

Mr. Burr was anxious for an equality of votes between Mr. Jefferson and himself, and with a view to effect it, *as far as* Pennsylvania was concerned, it is stated in the "View" that "he accordingly *sent* Mr. Abraham Bishop to Lancaster during the session of the Legislature."\* This is all that is said in that work concerning Mr. Bishop.

In subsequent communications made by Mr. Bishop to the editor of the American Citizen he observes that he was not *sent* to Lancaster by Mr. Burr as stated in the "View." He acknowledges, however, for he could not deny, that he was at Lancaster as stated. In reply to Mr. Bishop it was remarked, and truly remarked, that although he might not, in the

\* See the "View," page 44.

*strictest* sense of the word, be *sent* to Lancaster by Mr. Burr, yet that he was there, that he left Mr. Burr's house to go to there, and that Mr. Burr procured for him letters of introduction, among others, from his *friend* Ezekiel Robins, the person whom his partizans nominated for the state Senate in opposition to Mr. John Broome. These facts were silently admitted by Mr. Bishop, who was satisfied with simply insisting that he was not *sent* to Lancaster by Mr. Burr. This is the *contradiction* laconically mentioned by Mr. Irving, and which he seems to consider exceedingly advantageous to the Vice-President. Mr. Bishop did not, however, condescend to state his errand to Lancaster; whether he went in behalf of the Vice-President or not. He was content with predicating his remarks on the *quibble* noticed, and Mr. Irving, in his vindication of Mr. Burr, eagerly avails himself of the estimable jewel.

In respect to Mr. Greene, Mr. Irving also remarks that the facts set forth in the "View" have, in like manner, been contradicted. It is stated in that pamphlet that during the session of the South Carolina Legislature, Mr. Greene went from New-York to Columbia, the seat of government, as the *agent* of Mr. Burr, and that he forwarded his dispatches *under cover* to Mr. John Swartwout. Mr. Greene, in an *elegant* communication to the editor of the American Citizen, *denies* that he was the *agent* of Mr. Burr; but admits that he was at Columbia as stated; that he was pleased with the equality of votes given by that state; that he endeavoured to promote it, yet asserts that he did not *direct* his dispatches for Mr. Burr *under cover* to Mr. Swartwout. He tacitly, however, admits that he transmitted information to Mr. Swartwout to be communicated to Mr. Burr.

Mr. Swartwout *deposed* that Mr. Greene did not *direct under cover* to him, dispatches for Mr. Burr. But when it was remarked, on indubitable authority, that Mr. Greene's letters directed to Mr. Swartwout were regularly communicated to Mr. Burr, the deponent remained mute. I state it as undeniably true that whether Mr. Greene's letters for Mr. Burr were or were not directed to Mr. Swartwout *under cover*, or not directed to Mr. Burr at all, yet that Mr. Swartwout did regularly communicate to the Vice-President the letters he received from Mr. Greene. So that *form* out of the question, Mr. Burr invariably read the letters of Mr. Greene.

With respect to Doctor Smith, it is stated in the View that Mr. Dayton, of the Senate of the U. S. "had openly declared, since the presidential election, that in case the entire of the electoral votes of Pennsylvania had been given for Mr. Jefferson,

and Mr. Burr, it was contemplated that New-Jersey should give the latter as many federal votes as would make him President." In prosecution of this contingent plan it is added that "Doctor Smith, one of the *federal* electors, and Mr. Burr paid each other frequent and mutual visits."

Here it may be remarked that the writer of the View was led to the declarations in question partly by the nature of the intrigue and partly by the uncontradicted and uncontradictable assertion of Mr. Dayton. It will be admitted that those who, as a last resort, deputed Mr. Ogden to negotiate with Mr. Burr to betray his party would not have scrupled to avail themselves, in the early stages of the presidential election, of the means they possessed to encompass the object sought by the negotiation subsequently entered into. The declaration therefore of Mr. Dayton made posterior to the election, could not fail of gaining credence, as it was certainly entitled to consideration as testimony against his own party. Doctor Smith, however, asserts his disbelief of the plan, and exonerates himself by declaring that he had no connection with it. While I am willing to give some credit to his declaration, I may be allowed to say that Mr. Dayton is much more in the confidence of his party than Doctor Smith, and much better acquainted with their various intrigues. If the conditional scheme stated was really contemplated by those who possessed a commanding influence over some of the electors, no one was more likely to know it than Mr. Dayton, who has avowed that it was.

Mr. Tapping Reeve, one of the electors of the state of Connecticut, was connected in the view with Doctor Smith by a similar remark. It is there observed that "something was also *expected* from Mr. Tapping Reeve, brother-in-law to Mr. Burr, who spent some weeks in Connecticut previous to the meeting of the electors."\* Happy in the use of trifles, however paltry, to screen the Vice-President, Mr. Irving with great avidity avails himself of an equivocal declaration of Mr. Bishop respecting the *truth* of the *expectation*, for it was not nor can it be denied that Mr. Burr visited his brother-in-law as stated. These are the *contradictions* noticed by Mr. Irving as tending to invalidate the numerous, important, and irrefutable facts contained in the View, and as favouring the presumption of Mr. Burr's innocence concerning his negotiation with Mr. Ogden!

At the expence of much patience I have noticed these collateral, and, as they respect the principal accusation, very unim-

important *circumstances*, that the apologist of Mr. Burr might not be furnished with the means of saying that much that has been advanced in the discussion had been abandoned as untenable. The momentous accusation, that by which Mr. Burr is either to be reinstated in the confidence or lost in the esteem of his fellow-citizens, is yet to be examined.

With respect to the negociation with which Mr. Burr stands charged Mr. Irving was extremely brief. He objects to the testimony because it is *anonymous*. He urges against it, first, his correspondence with Mr. Ogden, and secondly the certificate of Mr. Livingston given to Mr. Burr in July 1802, which has already been noticed, but which Mr. Irving seems to be of opinion is a strong circumstance in favour of the innocence of the accused. These three points shall be separately examined.

First, then, the testimony is *anonymous*, and therefore not entitled to belief.

With regard to the negociation, the principal point and that which now claims our attention, it is *not* anonymous. It is the testimony of Doctor Linn, the Reverend Mr. Abeel, Mr. David A. Ogden, General Hamilton, and Mr. Edward Livingston. The testimony of these gentlemen, who are all credible witnesses and most of them of exalted rank in the respective spheres in which they move, is plain, direct, and positive; and the circuitous manner in which it has been obtained neither impairs its force, nor lessens its authenticity. It is of the clearest, most unequivocal, and conclusive kind. It is the best that the nature of the case will admit of; it is such as would induce conviction in a court of equity and cannot fail of producing the same issue with the public.

The testimony of Dr. Linn and Mr. Abeel, given by them to Mr. Labagh,† a member of one of their congregations and a citizen of unsullied reputation; written by himself in precisely their own words, and communicated by him to me for publication, with their knowledge but with their reluctant consent, is in these words:

“Dr. Linn and the Reverend Mr. Abeel of this city [New-York] told me, in a conversation I had with them, that they believed Aaron Burr, Esq. had corresponded with *federal* mem-

† I am not *authorized* to name Mr. Labagh as the gentleman who communicated to me some months since for publication, the testimony of Dr. Linn and Mr. Abeel. But as he has himself, with a becoming frankness and integrity, made no secret of it in private conversation; this, the importance of the subject, and the necessity that exists for putting an end to this discussion, will, I am persuaded, be a sufficient apology with him for the liberty I have taken.

bers of Congress to get himself elected President of the United States, and that he had agreed to come in to their measures. Some time after I saw Mr. Abeel, and he said it was a mistake that Mr. Burr had *corresponded* with *federal* members of Congress, but he had made a *verbal agreement* with them, and that if I wanted an investigation of the business the person was then in town who would prove the fact."

"Note. I asked Dr. Linn his reason for believing that the correspondence took place? He replied that it could be proved in a court of justice, and Mr. Abeel subjoined that he would vouch for its truth."

Such is the testimony of Dr. Linn and Mr. Abeel, committed to paper by Mr. Labagh with the utmost care and circumspection, and communicated for publication with the most solemn assurances, that, if denied or contradicted by either of those gentlemen in public or in private, he would support it, if required, by *affidavit*. It has not been denied; it has not been contradicted. It stands, like the character of him who communicated it, *unimpeached*.

The following is the testimony of Mr. David A. Ogden, the negotiator, contained in his artful reply to the crafty letter of Mr. Irving.

"When about to return from the city of Washington, *two or three* members of Congress, of the federal party, spoke to me about their *views* as to the election of President, desiring me to converse with Col. Burr on the subject and to ascertain whether he would *enter into terms*.† On my return to New-York I called on Col. Burr and communicated the above to him. He explicitly declined the explanation, and did neither *propose* nor agree to any terms."

The testimony of General Hamilton alone is amply sufficient to convict. It is this, as stated in a letter which he wrote to a member of the Senate of the United States in January 1801.

"A friend of ours,|| who lately returned from Washington, was intrusted by some leading members of Congress of our party, to have a conference with Col. Burr, for the purpose of ascertaining *two* things; First, What would be the conduct he would observe if elected by our means in respect to certain *cardinal* points of federal policy? Second, What co-operation and aid he could and would afford towards procuring success to his own election?"

† For an explanation of the word *TERMS* as here used, see the "Nine Letters," published in a pamphlet, from page 69 to p. 89.

|| Mr. Ogden,

"He accordingly made the communication to Col. Burr, and as he informed me, was answered by him in substance, that as to the first point, it would not be proper or expedient to enter into explanation."

"That as to the second point, there was good reason to expect that New-York and Tennessee, on a second ballot, would vote for him, and New-Jersey might perhaps do the same."

"In that or a subsequent conference he referred to Mr. Edward Livingston, as his confidential friend, for further explanation. This gentleman leaves New-York in a few days for Washington."

This letter is corroborated by the declaration of General Hamilton made at a public dinner in Albany in the presence of Judge Livingston, Judge Troup, Judge Pendleton, Mr. Josiah Ogden Hoffman, and others. Immediately after the declaration was made by General Hamilton, it was mentioned to the Hon. De Witt Clinton by Judge Livingston, who has since authorized its publication. It is this:

"General Hamilton declared, in February 1801, *immediately after Mr. Ogden's interview with Mr. Burr*, that the latter gentleman had *negotiated* for the presidency, and that he could *prove* it in a court of justice."

The testimony of Mr. Edward Livingston, contained in his certificate to me is this:

"Finding myself generally designated as the person alluded to in General Hamilton's letter published by you on the 22d instant, I think myself called on to declare that I never *authorized* the Vice-President to *refer* any one to me for an explanation of his views and wishes with respect to the Presidential election; that he never *empowered* or *requested* me to receive, make, or answer any propositions on that subject.

"And tho a gentleman of the FEDERAL party did call on me, I explicitly told him that I had received no authority from Col. Burr, and on his entering into conversation with me *relative to the conduct that would be pursued by the New-York delegation*, I as explicitly informed him I believed it was the intention of a majority to vote for Mr. Jefferson, and that such was my determination."

The limits I have assigned to my remarks do not permit me to notice the very respectable collateral testimony at command; nor is it necessary to trouble the reader at present with it. The positive, the direct testimony already quoted, is sufficient for every purpose.

Dr. Linn and Mr. Abeel affirm that Mr. Burr had made a verbal agreement with the federal party to come into their measures, and added that if Mr. Labagh wanted an investigation of the business, the person was then in town who could prove the fact.

I asked, says Mr. Labagh, Dr. Linn his reason for believing that the correspondence took place? He replied that it could be proved in a court of justice, and Mr. Abeel subjoined that he would vouch for its truth.

It is not to be supposed that two grave clergymen would, in language so clear and explicit, communicate to Mr. Labagh information, ruinously affecting every thing dear to Mr. Burr as the second officer of the Government and a gentleman of integrity, on light or unfounded surmise. The sacredness of their function precludes the supposition. Presume for a moment that their solemn declaration was a calumny, and ask, What would be the consequence of detection; detection too of access so easy? An utter loss of reputation with their fellow-citizens; a forfeiture of the esteem, and even of the respect of their respective congregations. Consequences so awful would be sufficient to deter men of less respectability of character from the commission of so unpardonable an offence. "Armed strong in truth, they were prepared for the most rigorous investigation of their remarks, and we find that Mr. Burr, to whom they had been communicated; solicited and actually obtained an interview with the two gentlemen.\* In this Mr. Burr was not disposed to sift the matter too closely. He was content with asking them whether what they had declared with regard to his having made a verbal agreement to come into the measures of the federal party was not derived from *common report*? To which Mr. Abeel replied *no*, it was *not* derived from *common report*. Mr. Burr made no further enquiries, and the two gentlemen retired.

Mr. Linn and Mr. Abeel observed to Mr. Labagh, that if he wanted an investigation of the business, the *person* was then in town who could prove the fact.

There is no difficulty in determining who the *person* is to whom they alluded. Dr. Linn, Mr. Abeel, and Mr. Ogden are on the best terms of friendship; and when the mass of testimony already adduced shall be digested and compared, the conclusion that Mr. OGDEN is the man, will be irresistible.

In respect to this gentleman we are told by him, in his answer to Mr. Irving's letter, that he was authorized, when at

\* This fact was also communicated by Dr. Linn and Mr. Abeel to Mr. Labagh, from whom I obtained it.

Washington, by federal members of Congress to call on Mr. Burr to ascertain whether he would enter into *terms*; that he accordingly called on and communicated to him his authority and his errand, but that he declined the *explanation*, and did neither propose nor agree to *terms*.

Here Mr. Ogden admits sufficient for every purpose; he acknowledges that he was the authorized agent of the federal party; and as to his studied evasion to screen Mr. Burr by declaring that he declined the explanation, and did neither propose nor agree to *terms*, it has been already sufficiently exposed.† The evasion can be of no service to Mr. Burr, nor can it add to the reputation of Mr. Ogden.

It is then acknowledged by Mr. Ogden that he was deputed to call and *did* actually call on Mr. Burr to ascertain whether he would enter into *terms*. His evasion with regard to *terms* is satisfactorily rebutted and exposed by the respectable testimony of General Hamilton, and confirmed by Mr. Edward Livingston.

General Hamilton, in his letter already quoted at large, says: "A friend of ours, who lately returned from Washington, was intrusted by some leading members of Congress of our party, to have a conference with Col. Burr for the purpose of ascertaining *two* things; first, what would be the conduct he would observe if elected by our means in respect to certain *cardinal* points of federal policy? Second, what co-operation and aid he could and would afford towards procuring success to his own election?"

"He accordingly made the communication to Col. Burr, and, AS HE INFORMED ME, was answered by him in substance that as to the first point it would not be proper or expedient to enter into explanation."

"That as to the second point, there was good reason to expect that New-York and Tennessee, on a second ballot, would vote for him, and New-Jersey might perhaps do the same."

"In that or a subsequent conference he *referred* to Edward Livingston as his confidential friend for further explanation. This gentleman leaves New-York in a few days for Washington."

Mr. Ogden says he called on Mr. Burr to ascertain whether he would enter into *terms*, but that he declined the explanation; and did neither *propose* nor agree to *terms*; General Hamilton, that Mr. Ogden had a conference with Mr. Burr for the purpose of ascertaining two things; First, what would be the

† See the ninth letter.



conduct he would observe if elected by our means in respect to certain *cardinal* points of federal policy?

On this point, the General says, Mr. Burr was of opinion it would neither be proper nor expedient to enter into *explanation*. The terms, propriety and expediency, as here used will no doubt be properly understood. In respect to "declining the explanation" there is no material difference between General Hamilton, who says he derived his information immediately from Mr. Ogden, and this gentleman himself. All that can be said, perhaps, concerning it is that General Hamilton in his letter to his friend was explicit, and that Mr. Ogden, in his answer to Mr. Irving's *terms agreed upon and points above stated*, which was intended for the inspection of the public, and to promote party views, thought proper to exercise a little dexterity and address.

Mr. Ogden also says that Mr. Burr did neither *propose* nor agree to *terms*; General Hamilton that Mr. Ogden accordingly made the communication to Mr. Burr, and, *AS HE* (Mr. Ogden) INFORMED ME, he was answered in substance, "that as to the second point, namely, what co-operation and aid he could and would afford towards procuring success to his own election? there was *GOOD* reason to *expect* that New-York and Tennessee, on a second ballot, would vote for him, and New-Jersey might perhaps do the same." This was not, indeed, strictly speaking, *agreeing to terms*, but it was entering most fully into the views of the federal negotiator.

General Hamilton adds, and he says he derived his information from Mr. Ogden, that IN THAT OR A SUBSEQUENT CONFERENCE, MR. BURR REFERRED TO EDWARD LIVINGSTON FOR FURTHER EXPLANATION.

This is confirmed by Mr. Livingston himself, who in his certificate to me says,

I think myself called on to declare that I never AUTHORIZED the Vice-President to *refer* any one to me for an EXPLANATION of his views or wishes with respect to the presidential election.

And tho a *gentleman\** of the federal party did call on me, I explicitly told him that I had received no *authority* from Col. Burr, and on his entering into conversation with me *relative to the conduct that would be pursued by the New-York delegation*, I as explicitly informed him I believed it was the intention of a majority to vote for Mr. Jefferson, and that such was my determination.

There is another not less remarkable coincidence between General Hamilton's letter and Mr. Livingston's certificate to me.

\* General Hamilton explicitly declares Mr. Ogden INFORMED HIM that Mr. Burr REFERRED him to Mr. Livingston for FURTHER EXPLANATION.

According to General Hamilton, Mr. Burr's answer to the *second* proposition of the negociator was, that THERE WAS GOOD REASON TO EXPECT THAT NEW-YORK AND TENNESSEE, ON A SECOND BALLOT WOULD VOTE FOR HIM, AND NEW-JERSEY MIGHT PROBABLY DO THE SAME.

Mr. Livingston, in his certificate, says,—and on his (Mr. Ogden's) entering into conversation with me RELATIVE TO THE CONDUCT THAT WOULD BE PURSUED BY THE NEW-YORK DELEGATION, &c.

This was a very natural enquiry on the part of Mr. Ogden. He had been told by Mr. Burr that he had *good* reason to *expect* that New-York on a second ballot would vote for him, and Mr. Ogden, therefore, when referred to Mr. Livingston, very properly asked—*what would be the conduct of the New-York delegation?* To which Mr. Livingston replied that he was determined to vote for Mr. Jefferson.

Such is the testimony with regard to the negociation, which the apologist of Mr. Burr has denominated *anonymous*, and therefore unworthy of credence. But can testimony be more direct, more conclusive, more convincing? There never was, even in a court of justice, a case more fully established than the *negociation* of Mr. Burr with Mr. Ogden.

And what part of the testimony is anonymous? That of Dr. Linn and Mr. Abeel? No. That of Mr. Ogden himself? No. That of Mr. Edward Livingston? Certainly not. That of General Hamilton? No; for his declaration made at Albany in the presence of Judge Troup, Judge Pendleton, Mr. Josiah Ogden Hoffman, and Judge B. Livingston, who *authorized* its publication, is tantamount to the evidence contained in his letter to his friend at Washington. In the presence of those gentlemen he declared that Mr. Burr had *negotiated* for the Presidency, and that he could prove it in a court of justice. In his letter to his friend at Washington, although he details with precision what took place at the interview *as derived from Mr. Ogden himself*, he says no more. But if there is any difficulty about the letter, it shall be easily removed. *If General Hamilton denies that he wrote it, I will instantly publish the name of the gentleman who communicated it to me for publication.* Mr. Burr owes it to himself and to the public to call on General Hamilton to ascertain, if he doubts, whether he wrote it or not; but as a gentleman, without this application, it is the duty of General Hamilton, it is due to Col. Burr, expressly to deny that he wrote it—if he did not.

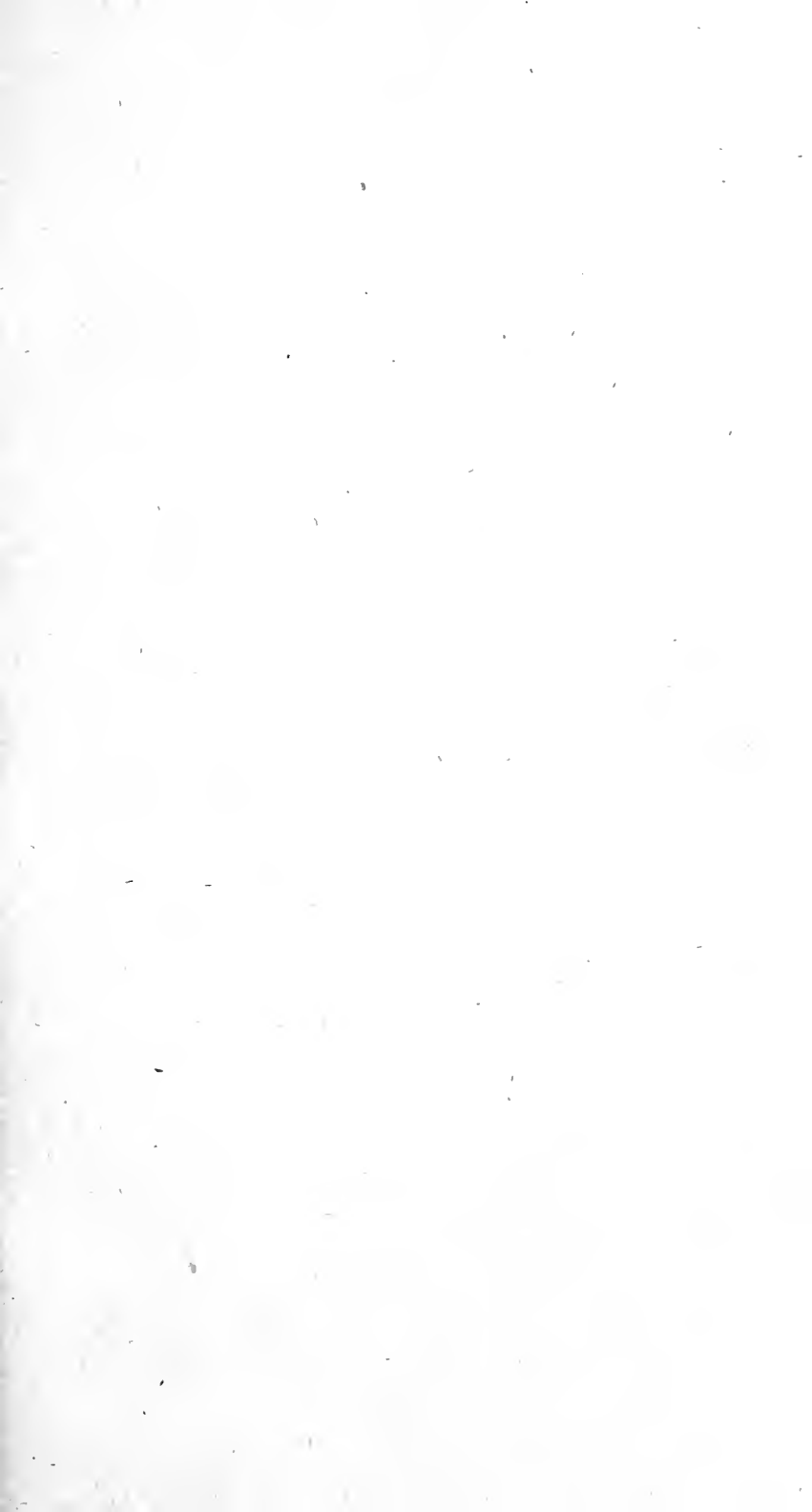


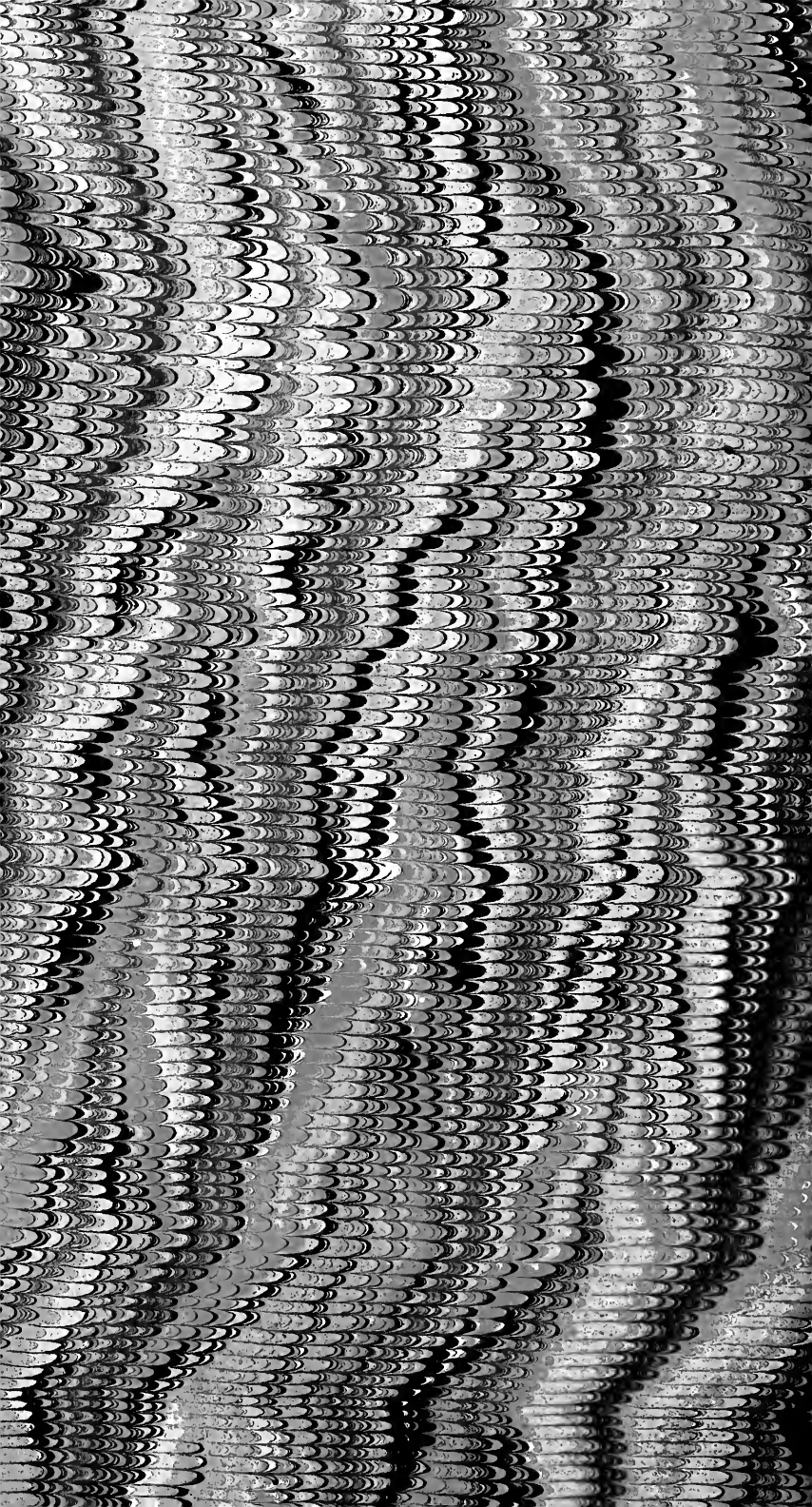




~~\$5.11~~

2.25 + Binding 3.00







Deacidified using the Bookkeeper process  
Neutralizing agent: Magnesium Oxide  
Treatment Date: Dec. 2003

**Preservation Technologies**  
A WORLD LEADER IN PAPER PRESERVATION

1415 Taylor Road  
Baltimore, MD 21206  
(410) 321-0700

